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President: Mr. Thomson ..... (Fiji)

The meeting was called to order at 10.05 a.m.

Agenda item 39

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Report of the Secretary-General (A/71/91)

Draft resolution (A/71/L.3)

Mr. Wafy (Niger): I have the honour to speak on behalf of the Group of African States on a matter of great importance to the Group, and Africa in general, namely, the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

For more than two decades, this matter has been brought before the General Assembly against the background of overwhelming yet unheeded appeals for the immediate end to the long-standing economic embargo against Cuba. Today those appeals have taken on a new dimension and more compelling justification, given the positive developments and progress made in relations between the Governments of Cuba and the United States of America. The new dimension has been occasioned by the re-establishment of diplomatic relations, the historic visit by President Barack Obama to Cuba in March — apparently the first visit by an American President to that country since 1928 — and the resumption of commercial airline service between the two countries in August.

The African Group calls for those ground-breaking positive steps to go further in lifting the economic embargo, which continues to inflict economic hardship on the poor and innocent population of Cuba, and most certainly makes the achievement of sustainable development even more elusive, thereby undermining our collective efforts towards a universal push to drive the implementation of the 2030 Agenda for Sustainable Development.

Accordingly, the Group of African States reaffirms its full support for the General Assembly resolution on the necessity of ending the economic, financial and commercial embargo imposed by the United States of America against Cuba. The Group of African States further reiterates the call made by the African Union Assembly of Heads of State and Government and the overwhelming call from States Members of the United Nations, for the lifting of the long-standing and unjust economic, commercial and financial blockade on Cuba.

Mr. Plasai (Thailand): I have the honour to speak on behalf of the Group of 77 and China on agenda item 39, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

I would like to thank the Secretary-General for his comprehensive report (A/71/91) on the item we are discussing today.

The Group of 77 and China would like, first of all, to sincerely welcome the re-establishment of diplomatic relations between the Government of Cuba and the Government of the United States of America.

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The Group also welcomes steps taken towards the elimination of the United States embargo against Cuba, which include, among others, the reopening of their respective embassies in 2015, President Obama's visit to Cuba in March and the amendments made in 2015 and 2016 by the United States Department of the Treasury and the United States Department of Commerce.

While those are positive steps, they remain inadequate to effectively end the impact of the embargo. Much more remains to be done, especially action by the United States Congress with regard to legislative bills proposing the lifting of blockade sanctions. The Group also believes that the future President of the United States can and should exercise more of his or her executive powers to further modify blockade regulations in the light of the continued disinclination on the part of the United States Congress to end those punitive measures, which are essentially in violation of the purposes and principles enshrined in the Charter of the United Nations.

The Group of 77 and China would like to reiterate our commitment to the principles, purposes and spirit of the Charter of the United Nations, in particular the principles of the sovereign equality of States, non-intervention and non-interference in their internal affairs, as well as the freedom of international trade and navigation. The Group believes that it is the duty and responsibility of every Member State to comply strictly with those principles. The Group is of the view that any policy or action that disregards those principles — in this case the unilateral economic sanctions against Cuba — should be seriously considered for immediate repeal. Given that the United States embargo against Cuba has continued for more than 50 years, the Group of 77 and China would like to express its deep concern about the prolonged negative effects that the economic sanctions and travel restrictions have had on Cuba and its people.

From April 2015 to April 2016, the impact of the United States embargo on Cuba's foreign trade amounted to more than $4 billion. Limited foreign investment and difficult access to development assistance have translated directly into economic hardship and humanitarian impacts for the people of Cuba. The country's socioeconomic reforms have also been hampered by the embargo. The Group of 77 and China are concerned that, if those economic sanctions continue, Cuba's development potential, in both economic and human-development terms, will be unfairly undermined, and it will be impossible for Cuba to successfully embark upon the path towards sustainable development envisaged in the 2030 Agenda for Sustainable Development, for which all Member States have pledged support.

Over many decades, Cuba has extensively and continuously contributed to the international community, particularly through its remarkable provision of medical assistance to countries in need. Cuba's emergency assistance to the African countries affected by the Ebola crisis in West Africa is a great example of its solidarity with the international community. The Group of 77 and China hereby commend Cuba's contributions in the form of humanitarian assistance and would like to express our hope that, if the United States embargo were permanently lifted, Cuba would be granted the opportunity that it has long deserved to fully cooperate with the global community and international organizations on health, the environment and agriculture, among other important issues.

The Group of 77 and China would like to reiterate our strong support for the implementation of the recommendations of resolution 70/5 and our call for an end to the economic, commercial and financial embargo by the United States against Cuba. The urgency and necessity of our call is further highlighted by the ongoing global and collective striving to implement the 2030 Agenda for Sustainable Development. The Group of 77 and China would therefore like to appeal to the international community to further step up efforts in support of the lifting of the embargo, not solely for the benefit of Cuba, but also for the full achievement of the economic and social development of all members of the global community as a whole.

Mr. Rattray (Jamaica): It a great privilege for me to address the General Assembly on behalf of the 14 member States of the Caribbean Community (CARICOM).

CARICOM aligns itself with the statement made by the representative of the Kingdom of Thailand on behalf of the Group of 77 and China, and with the statement to be delivered by the representative of the Dominican Republic on behalf of Community of Latin American and Caribbean States.

For far too many years, the United States has maintained a commercial embargo on Cuba, through various laws, regulations and presidential proclamations. That pernicious embargo has restricted

the ability of a proud, honourable, independent, talented and self-reliant people to conduct legitimate trade, travel and to undertake financial transactions. The stated purpose of that all-encompassing economic, commercial and financial blockade was to bring about political change. However, all these years later, we see that the intended outcome has failed to materialize, and the sole result is the undue hardship that has been caused to the population of Cuba. We fully agree with President Obama's characterization of the embargo as an outdated burden on the Cuban people, and we appreciate his acknowledgment that what the United States was doing was not working. Regrettably, however, his call upon his own Congress to lift the embargo has fallen on deaf ears.

CARICOM, and virtually the entire international community, has consistently highlighted the fact that that unilateral, coercive and anachronistic measure is inconsistent with international law, transgresses fundamental humanitarian principles and contravenes the Charter of the United Nations and the norms governing peaceful relations between States. In 2015, during its landmark seventieth session, the General Assembly voted for the twenty-fourth consecutive year on the necessity of ending the embargo against Cuba. The near unanimous vote of 191 countries in favour of resolution 70/5 reflected an overwhelming attestation of the international community's solidarity with the people of Cuba.

It is for that reason that CARICOM welcomes the re-establishment of diplomatic relations between the United States and Cuba, which was symbolized by President Obama's historic visit to Havana in March and by the tangible action taken to reopen embassies in their respective countries. We applaud President Obama's recognition that the age-old blockade has been harmful to the Cuban people, and we salute his stated desire to bury the last remnant of the Cold War in the Americas.

CARICOM and Cuba have had a long and fruitful relationship, which predates the embargo. Cuba is an important development partner for the Caribbean, and our bonds of mutual respect, friendship and cooperation are deeply valued and treasured. We also enjoy friendly relations with the United States and cooperate through various bilateral and regional initiatives. For that reason, we believe that improved relations between Cuba and the United States of America can only bode well for our nations. We therefore encourage both countries to continue to explore ways to increase the type of cooperation that was evident during the Ebola crisis in West Africa. The renewal of relations between those two neighbours signals a new era of engagement for both countries. CARICOM sees those developments as important first steps in our hemisphere's journey towards a destination that is enveloped in an environment of lasting peace and security, one where development can flourish.

CARICOM will once again unreservedly support the draft resolution on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba. It is our hope that this will be the final time that the Assembly will have to consider this agenda item. Indeed, we look forward to that becoming a reality in the very near future.

Mr. Gafoor (Singapore): I have the honour to address the General Assembly on behalf of the 10 member States of the Association of Southeast Asian Nations (ASEAN) to express our support for draft resolution A/71/L.3, on ending the economic, commercial and financial embargo imposed by the United States of America against the Republic of Cuba.

The General Assembly has consistently adopted this annual draft resolution by an overwhelming majority since it was first introduced, in 1992. ASEAN member States have voted unanimously in favour of the draft resolution for the past 15 years. In 2015, a spokesperson for ASEAN made a statement in the General Assembly calling for the unilateral embargo against Cuba to be lifted as soon as possible (see A/70/PV.40). It is our firm belief that differences between States should be settled through engagement, not confrontation, and by inclusion, not isolation. All of that must be done while bearing in mind the fundamental principles of sovereign equality, non-interference and non-intervention, as enshrined in the Charter of the United Nations.

ASEAN welcomes the restoration of diplomatic relations between Cuba and the United States of America. President Barack Obama's state visit in March, the relaxation of travel restrictions to Cuba for United States citizens and the restoration of direct flights between the United States and Cuba are important steps towards the normalization of bilateral relations. They are key to building better regional relations in the Americas. In ASEAN's view, a more important step will be for the United States to end its economic,

commercial and financial embargo on Cuba. It would significantly improve the quality of life and living standards of the Cuban people and contribute to the economic and social development of Cuba. Bringing an end to the embargo would also advance the Assembly's efforts towards achieving an inclusive 2030 Agenda for Sustainable Development.

ASEAN encourages the United States and Cuba in their efforts to chart a new way forward. We recognize that much remains to be done. ASEAN joins the other members of the Assembly in reiterating our support for the lifting of the unilateral embargo against Cuba as soon as possible.

Mr. Kononuchenko (Russian Federation) (*spoke in Russian*): We would like to thank the Secretary-General for having drafted the report (A/71/91) on the need to end the economic, commercial and financial embargo against Cuba that was imposed by the United States of America. The position of the Russian Federation in that respect remains unchanged.

The embargo of the United States of America targeting Cuba must be immediately lifted, as it directly contradicts the fundamental principles of the Charter of the United Nations regarding the inadmissability of any measures of discrimination and intervention in the domestic affairs of sovereign States. The experience of Cuba does a good job of showing the short-sightedness and counterproductivity of the imposition of unilateral economic, commercial and financial coercive measures for the attainment of political objectives. Above all, they burden ordinary citizens. They worsen the plight of those most vulnerable. The outcome of the vote on draft resolution A/71/L.3, on the necessity of ending the economic, commerical and financial blockade, will again reveal the growing international awareness of the inadmissability of allowing such a state of affairs to persist.

The persistent American sanctions against Cuba are a relic of the past. From the outset, they placed Cuba in a vulnerable position regarding the implementation of the 2030 Agenda for Sustainable Development. The sanctions constrain and at times directly undermine the capacity of that island State to mobilize resources for the attainment of the Sustainable Development Goals. In that connection, the international community, having unanimously assumed the obligation to leave no one behind, does not have the moral right to continue to tolerate sanctions against Cuba.

On 19 October the State Duma of the Russian Federation made its annual declaration to the General Assembly and the Parliaments of Member States condemning the policy of Washington, which for more than 50 years has been opportunistically imposing the most protracted unilateral sanctions in the history of international relations. The Russian deputies extended their solidarity to the Cuban people, who are upholding their freedom and sovereignty despite limitations and restrictions of a humanitarian nature imposed on them.

The United States' relaxation of the embargo does not lift the embargo, as such. The failure to lift the embargo is, however, at odds with the approach of seeking to normalize Cuban-American relations. Cubans continue to face serious obstacles as they strive to fully engage in the international financial and economic system. That undermines the entire range of global integration links and undermines regional and international cooperation. We hope that Washington, D.C., will finally acknowledge the imperatives of the present-day realities and that the process of strengthening links with Havana — especially with regard to the embargo — will be furthered and receive the necessary momentum, regardless of the political situation and the results of the elections in the United States.

The Russian Federation would like to affirm its determination to cooperate in ensuring a fair and equitable international order founded on the purposes and principles of the Charter of the United Nations. We firmly believe that the key to solving the problem lies in the countries' goodwill and readiness to seek mutually acceptable compromises, rather than in using coercion and blackmail. The principles of integrity, sovereignty, non-interference in States' internal affairs, and cooperation do not permit the use of unilateral coercive measures, which are in violation of international law. In that connection, we deplore the continuing United States sanctions on Cuba and urge all countries to join us at this seventy-first session of the General Assembly in voting in favour of draft resolution A/71/L.3, on the necessity of ending the economic, commercial and financial embargo imposed by the United States against Cuba.

The President: I would like to propose that the list of speakers on the current topic be closed, in view of the large number of delegations inscribed on the list.

Unless I see any objection, I will take it that the Assembly agrees to close the list of speakers.

It was so decided.

Mr. Cortorreal (Dominican Republic) (*spoke in Spanish*): I have the honour to speak on behalf of the Community of Latin American and Caribbean States (CELAC).

CELAC welcomes the progress in the process of normalizing diplomatic relations between Cuba and the United States of America, which marks the beginning of a new chapter in the history of peace and coexistence among the nations of the Americas. We acknowledge President Obama's wish to end the economic, commercial and financial embargo that the United States has imposed on Cuba for more than 50 years. However, we regret the fact that the blockade is still a reality for the Cuban people. It presents an undeniably major obstacle to Cuba's normal development. The Secretary-General's report (A/71/91) confirms how much the policy has cost Cuba and the substantial and unjustifiable harm that it does to the Cuban people's well-being. It is antithetical to the Latin American peoples' desire for peace, as enshrined in the 2014 Havana Declaration of the Latin American and the Caribbean region as a zone of peace. Moreover, the economic, commercial and financial blockade imposed on Cuba is contrary to the letter and spirit and the purposes and principles of the Charter of the United Nations and of international law.

CELAC reiterates its firm rejection of any application of laws and measures, such as the Helms-Burton Act, that run counter to international law, especially those with extraterritorial effects, as well as the increasing harassment of Cuba in its international financial transactions, in opposition to the political will of the international community in general. We urge the Government of the United States of America to stop implementing its current policy on the matter. The United States Congress has the authority to end the Cuban embargo completely. However, we acknowledge the executive actions that President Obama has undertaken since January of last year, including removing Cuba from the list of countries sponsoring terrorism — which Cuba should never have been on in the first place — which illustrate the broad capacity that the United States President has to modify its unjust policy of embargo.

CELAC would like to recall its special declaration on the need to put an end the economic, commercial and financial blockade imposed by the United States against Cuba, adopted at its fourth Summit, held in Quito on 26 and 27 January, in which we requested

> "the Government of the United States of America to fulfil the successive resolutions adopted by the United Nations General Assembly and, in response to the repeated calls from the international community, to put an end to the economic, commercial and financial blockade against Cuba, which runs contrary to international law and severely and unjustifiably damages the well-being of the Cuban people."

The United Nations Charter enshrines rights, obligations and principles that have become part of the legal heritage, not just of international law but of humankind in general. They should not be violated or abused by any Member State, which should ensure that their national and international actions are in accord with the rights, obligations and principles enshrined in the Charter.

In 2015 the resolution on this topic (resolution 70/5) was adopted with 191 votes in favour, in affirmation of the universality of its cause. For those reasons, CELAC will once again give its firm support to this year's draft resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" (A/71/L.3). We emphasize the inconsistency of unilateral measures that are not supported by international law or by the letter, the spirit and the purposes and principles of the Charter. We reiterate our call to the United States of America to accede to the countries of Latin America and the Caribbean and of every region of the world, and to harken to the views of its own people, as they urge it to put an end once and for all to the unjust embargo of Cuba.

Mr. Alotaibi (Kuwait): I have the honour to make this statement on behalf of the member States of the Organization of Islamic Cooperation (OIC).

At the outset, the member States of the OIC welcome the restoration of diplomatic ties between the United States and Cuba, the reopening of their embassies more than a year ago and President Barack Obama's visit to Cuba in March, as well as the other significant steps that have been taken between the two countries' Governments. The OIC emphasizes the importance that

those steps will have for efforts to normalize bilateral ties between both nations, and stresses that improving relations and moving forward positively would be mutually beneficial for both peoples.

In spite of those positive steps, however, there remains the issue of the economic, commercial and financial embargo imposed by the United States on Cuba years ago. That unilateral action by the United States has harmed not only the Cuban economy but also the well-being of the Cuban people and of Cuban nationals living in other countries, creating unnecessary economic hardship for them. Furthermore, the decades-long embargo has impeded socioeconomic and development progress, and it will obstruct Cuba's efforts to achieve sustainable development as long as it continues. In addition, the unilateral blockade also affects third countries, as well as entities and companies that face fines for conducting commercial activity with Cuba.

The OIC believes that such unilateral action runs counter to the purposes and principles of the Charter of the United Nations. The OIC reiterates its deep concern about the negative impact that the unilateral blockade has on the Cuban people and considers its continuation unjustifiable.

The OIC supports this year's draft resolution on this agenda item (A/71/L.3) and calls on the States Members of the United Nations to vote in favour of it.The OIC believes that, given the support behind the draft resolution, entitled the "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", it truly reflects the international community's collective view on this topic.

Mr. Ramírez Carreño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): As the current Chair of the Movement of Non-Aligned Countries, I have the honour to address the General Assembly on behalf of the 120 States Members of the United Nations that comprise this mechanism for consultation and joint political action.

I begin by extending a warm welcome and revolutionary salute to the Minister for Foreign Affairs of Cuba, Mr. Bruno Rodríguez Parrilla.

Twnety-five times the General Assembly has expressed its overwhelming support for and solidarity with the Government and the people of Cuba with decisive votes in favour of the draft resolution calling on the United States to lift the embargo against this fraternal Latin American and Carribean country.. We thank the Secretary-General for the presentation of his report (A/71/91) on this important issue. Last year, 191 Member States voted in favour of resolution 70/5.

The Movement of Non-Aligned Countries has always reiterated its strongest opposition to unilateral coercive measures with extraterritorial effects because they are illegal. The Non-Aligned Movement has repeatedly called on the Government of the United States of America to put an end to its economic, commercial and financial embargo against Cuba, which is contrary to international law, the Charter of the United Nations and the norms and principles governing peaceful relations among States. It also violates Cuba's right to interact freely with the international community.

The embargo has had adverse impacts on the well-being of the people of Cuba in violating their human rights. The direct and indirect damage inflicted by the unjustified embargo against Cuba is enormous. That illegal policy affects all sectors that are crucial to the Cuban economy, such as public health, nutrition and agriculture, as well as banking, trade, investment and tourism. The blockade denies Cuba access to markets and to development aid from international financial institutions, as well as technology transfers. It creates impediments to the socioeconomic development of the country. The embargo is also the main obstacle to broader access to the Internet, the exchange of ideas and the development of cultural, sport and scientific relations. The continuation of the embargo is totally unjustifiable and undermines Cuba's efforts to achieve sustainable development.

The economic damage to the Cuban people by the imposition of the economic, commercial and financial embargo by the United States of America against Cuba amounts to $833.7 billion, if one takes into account the depreciation of the dollar with respect to the price of gold on the international market. During all these years, the blockade has caused damage of over $121 billion, using current prices.

The Movement of Non-Aligned Countries considers the establishment of diplomatic relations between Cuba and the United States to be an initial positive step in the process towards the normalization of bilateral relations. At the same time, it should be noted that the blockade has remained unchanged. Indeed, under the

current Administration, the blockade has been further tightened, and its territorial application has been intensified through the imposition of 42 fines on entities, both foreign and American, amounting to $13.2 billion. While the regulations issued by the Departments of Commerce and the Treasury on 15 January 2015 were steps in the right direction in areas such as travel to Cuba, telecommunication and remittances, they are limited in scope and only modify some aspects related to the implementation of the blockade.

Despite the historic decision of the United States President to notify the Congress of his decision to remove Cuba from the so-called list of State sponsors of international terrorism — a list on which Cuba should never have been included — that has not meant an easing of the intricacies of all the prohibitions and restrictions established by the blockade laws and regulations imposed against this fraternal country.

Given what I have just said, the Movement of Non-Aligned Countries maintains its call for an end to the economic, commercial and financial embargo imposed by the United States against Cuba. That was reiterated during the seventeenth Summit of the Heads of State and Government, held on Margarita Island in the Bolivarian Republic of Venezuela on 17 and 18 September. The vote in the General Assembly last year in favour of resolution 70/5 by 191 Member States constituted an expression of unanimity within the international community in demanding the end of the 50-year embargo and adherence to the principles of mutual respect and non-interference in the internal affairs of Cuba.

Currently, over 190 nations have economic and political relations with Cuba, while the United States remains alone in pursuing its unjustified policy of economic sanctions. The Movement of Non-Aligned Countries once again urges the United States of America to yield to the will of the overwhelming majority of the international community and to rectify its failed policies by fully complying with the General Assembly resolutions calling for an immediate and complete end to the embargo imposed on Cuba.

Finally, the Movement of Non-Aligned Countries reiterates that full respect for the purposes and principles of the Charter of the United Nations is an essential element in the maintenance of international peace and security and that the international community should continue working to eliminate unilateral coercive measures, as they are illegal, such as the economic, commercial and financial embargo imposed by the United States of America against Cuba.

Now, in my national capacity, I wish to say that the Bolivarian Republic of Venezuela will vote in favour of draft resolution A/71/L.3, for we are convinced that the new statement by the General Assembly rejecting the blockade imposed by the United States against Cuba reflects our firm position with regard to unrestricted respect for the purposes and principles that sustain the international legal and political order in support of the maintenance of harmonious and stable relations among the Member States of this Organization.

The blockade imposed on the brotherly people of Cuba for 56 years has shown itself today to be a total failure. Its only objective has been the supposed desire to restrict the right to self-determination of that country and to defeat the Cuban revolution. Despite the obstacles created by that unilateral measure, Cuba has been able to deal with the illegal action, maintaining its sovereignty and political independence with dignity under the banners of international law and the Charter of the United Nations.

We wish to point out that the American policy of sanctions has been wrong and has drawn attention to the extraordinary capacity and political determination of the Cuban people and the intrinsic moral force of the heirs of the legacy of José Martí.

Therefore, in contrast to the destabilizing purposes and plans of the supporters of that illegal policy, Cuba has been characterized throughout its revolutionary history, under the leadership of Commander Fidel Castro and the current President, Mr. Raúl Castro, by its spirit of solidarity with the sister countries of the developing world, providing, despite its economic difficulties, unbiased help and solidarity to peoples with humanitarian needs arising from natural disasters or epidemics like Ebola and cholera. It deploys specialized medical personnel to help victims of those diseases in any corner of the globe.

Venezuela therefore once again urges the Government of the United States to put an immediate end to the economic, commercial and financial blockade against this Latin American and Caribbean sister country and to make that happen in harmony with the process of the normalization of bilateral relations between the two countries.

The defeat of the blockade is a moral and political victory for the people of the Cuban revolution against the largest empire on Earth. Long live Cuba! Long live Chavez! Long live Fidel! Venceremos!

Mr. Sandoval Mendiolea (Mexico) (*spoke in Spanish*): My delegation associates itself with the statement made by the representative of the Dominican Republic on behalf of the Community of Latin American and Caribbean States.

As in previous years, Mexico once again reiterates its rejection of the unilateral action against the Republic of Cuba, including the imposition for more than five decades of the economic, commercial and financial blockade, which runs counter to international law and the relations of friendship and cooperation that must prevail among States.

Only a month ago, the President of Mexico, Mr. Enrique Peña Nieto, reiterated before the General Assembly (see A/71/PV.10) my country's call for the lifting of the economic, commercial and financial blockade against Cuba, which will produce a climate of detente and understanding in our region. The Government of Mexico today reaffirms that call and confirms that it will support the draft resolution before the Assembly (A/71/L.3), as it invariably has in previous years.

Mexico welcomes the progress in the process of normalization of the relations between Cuba and the United States of America, two important neighbours and partners for my country, but it is aware that full normalization requires eliminating the economic, commercial and financial blockade against Cuba. My country recognizes the measures that the President of the United States has implemented to ease the blockade, but it knows that lifting the blockade is within the purview of the United States Congress.

The Republic of Cuba is undertaking efforts to update its economic and social model. The elimination of the embargo would facilitate the restructuring of the Cuban economy and allow its full reintegration and access to international trade flows and investment. Mexico recognizes the actions taken by the Government of the Republic of Cuba to fulfil its international commitments in the field of development. Despite the adverse circumstances that it has confronted for more than 50 years, Cuba has high human development indices in the areas of labour, health, education and the environment, among others, as recently recognized in the United Nations Development Programme's *2016 Regional Human Development Report for Latin America and the Caribbean*. With an end to the blockade, Cuba will be able to implement the 2030 Agenda for Sustainable Development and fully achieve its 17 Sustainable Development Goals.

My country supports the process of updating the Cuban economic and social model and intends to contribute to that process, if so requested.

Mr. Liu Jieyi (China) (*spoke in Chinese*): China associates itself with the statement delivered by the representative of Thailand on behalf of the Group of 77 and China.

A year ago, the United Nations development summit adopted the 2030 Agenda for Sustainable Development, which launched new prospects for international cooperation for development. The comprehensive implementation of the 2030 Agenda is, and will be for some time to come, the central task in the field of development.

Countries should work on the basis of equality, engage in cooperation guided by an open and inclusive approach and seek common development through win-win cooperation with a view to sharing the fruits of development. Such circumstances call for putting an immediate end to the economic embargo and sanctions imposed by the United States against Cuba.

The General Assembly has for 24 consecutive years adopted by an overwhelming majority a resolution on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba, and urging all States to comply with the Charter of the United Nations and the norms of international law, and rescind or abolish measures that have extraterritorial effects affecting the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation.

It is regrettable that for so many years none of those resolutions have been implemented, and the economic, commercial and financial embargo imposed by the United States against Cuba still remains in effect. Such violations of the purposes and principles of the Charter of the United Nations and the relevant General Assembly resolutions have caused enormous economic and financial losses for Cuba and impeded the efforts of the Cuban people to eradicate poverty and

promote sustainable economic and social development. It has not only undermined the Cuban people's right to life and development, but has also affected the normal economic, commercial and financial exchanges between other countries and Cuba.

China has always stood for respect for the right of countries to freely choose their social systems and their path towards development. It opposes unilateral sanctions against other countries by military, political, economic or any other means. China has always strictly complied with and implemented the relevant General Assembly resolutions. China and Cuba have maintained economic, commercial and personal exchanges, and a friendly and mutually beneficial cooperation in various areas between our two countries has been steadily developing. Not long ago, Premier Li Keqiang visited Cuba, at which time the leaders of our two countries reached a broad common understanding on the further deepening of the pragmatic cooperation between China and Cuba in line with the aspirations of our two peoples and in the interest of the economic and social development of Cuba.

In our times, characterized by multipolarization, economic globalization, cultural diversity and the democratization of international relations, the general trend is towards exchange and cooperation among countries on an equal footing. Dialogue among equals and amicable consultations represent the best way to resolve differences.

Mr. Zamora Rivas (El Salvador), Vice-President, took the Chair.

China has taken note of the measures taken by the United States to ease the constraints it has imposed on Cuba with regard to commerce, trade and tourism, and we hope that the United States and Cuba will continue to work towards the normalization of their relations. We hope that the United States will fully repeal its embargo policy against Cuba at an early date and develop normal State-to-State relations with it, in accordance with the purposes and principles of the Charter of the United Nations and the basic norms governing international relations. That is in the common interest of both countries and their peoples and in the interest of the peace and stability of the Americas and the common development of the international community.

China will once again vote in favour of the draft resolution, A/71/L.3, submitted by Cuba.

Mrs. Nguyen (Viet Nam): At the outset, I would like to extend my warmest welcome to Mr. Bruno Rodriguez Parrilla, Minister for Foreign Affairs of the Republic of Cuba.

Viet Nam aligns itself with the statements delivered by the representatives of the Group of 77 and China, the Movement of Non-Aligned Countries and the Association of Southeast Asian Nations.

We greatly appreciate the Secretary-General's comprehensive report (A/71/91), which lays out the positions of Member States on ending the economic, commercial and financial embargo against Cuba and assessments by United Nations agencies of the impact of the blockade.

On 27 October 2015, Viet Nam joined with 190 other delegations in voting in favour of resolution 70/5. The adoption of that resolution by an overwhelming majority once again sent a strong message from the international community calling on the United States of America to end its embargo against Cuba. It is our principled position that Viet Nam opposes the imposition of any unilateral embargo and coercive measures by one State on another.

Today Viet Nam will vote unreservedly in favour of draft resolution A/71/L.3 in its entirety. By its vote Viet Nam wishes to reiterate its firm belief that the United States blockade against Cuba, which has lasted for more than five decades, is contrary to international law and the fundamental principles of the Charter of the United Nations and has caused untold hardship to the Cuban people. That policy runs counter to the common intentions of all nations in the world to build international relations on a sound and equitable basis, regardless of their political systems and with respect for each nation's right to choose its own path of development.

Viet Nam welcomes the restoration of full diplomatic ties between Cuba and the United States and the outcomes of President Barack Obama's visit to Cuba in March. We also welcome the latest decision by the United States President to issue his policy directive on Cuba on 14 October and to announce a group of measures to modify the application of some aspects of the embargo. We hope that such progressive steps will create a political dynamic that will eventually lead to the repeal of the blockade, which poses an essential obstacle to the normalization of relations between the two countries.

Once again, Viet Nam joins with other delegations to call on the United States to put an immediate end to the economic, commercial and financial blockade against Cuba. The lifting of the embargo would meet the aspirations of both the American and the Cuban peoples. It would be beneficial both for the people of the region and for peace, stability and prosperity in the region and the world.

My delegation wishes to take this opportunity to reiterate Viet Nam's friendship, cooperation and solidarity with Cuba. We will continue to do our utmost to help the people of Cuba to overcome the difficulties and challenges imposed by the embargo.

Mr. Llorentty Soliz (Plurinational State of Bolivia) (*spoke in Spanish*): At the outset, Bolivia welcomes the presence among us of Comrade Bruno Rodríguez Parrilla, Minister for Foreign Affairs of Cuba.

Once again, Bolivia joins the concert of the nations of the world to condemn and repudiate, most energetically, the unilateral, immoral, unjust, illegal, anachronistic and criminal economic, commercial and financial embargo imposed by the United States against Cuba for more than half a century.

I will take advantage of these few minutes to pay tribute to the Cuban people and its revolution. I am convinced that the best way of doing so is to pay tribute to the person who, as the Argentine writer Julio Cortázar said, was the sculptor of the revolution. I am thinking here about Fidel Castro Ruz, who, as the world knows, recently celebrated his ninetieth birthday. He resisted throughout the terms of 11 American Presidents, and he won. He has survived more than 600 attacks against his life organized by the empire. Never in the history of humankind have there been so many plans and so many resources devoted to ending the life of a single person. Fidel has a special place — a privileged place — in the hearts and in the history of the liberation of peoples. He has shaped the most solidary-replete revolution in the history of humankind and has brought us closer to the utopia of a better world.

Cuba's people, our people, have witnessed the marvellous solidarity of the Cuban revolution. My brothers and sisters from Africa know what I am talking about. Cuba is the only non-African country that fought against the regime of apartheid. Another titan of history, Nelson Mandela, said the following,

> "I am a loyal man, and I will never forget that, in the darkest moments of our country in the fight against apartheid, Fidel Castro was on our side."

Our brothers and sisters of Asia and Pacific also know the Cubans, because Cuba has been in the front lines helping victims of earthquakes and typhoons in distant regions. Ho Chi Minh, the great Vietnamese leader, said that Cubans, with Fidel as their leader, were in solidarity with his people and their struggle, and that the Vietnamese would never forget that support. In my own region, in Latin America and the Caribbean, countless lives have been saved by Cuban doctors. Countless people know how to read and write thanks to teachers from Cuba. Our President Morales Ayma has noted that the Cubans shared the little that they had, and they did so in a disinterested way; they never asked anything from anyone — no mining, oil or forestry resources — for their solidarity.

From this rostrum Fidel not only encouraged humankind, but he led the fight against arms, against nuclear weapons, against debt, against the pillaging of our natural resources, against the anti-democratic financial and monetary system, against climate change and against hunger, disease and inequality — in summary, against capitalism and imperialism and for the building of a new international order.

Today we are not only voting against the blockade; we are voting for hope and for the marvellous possibility of making a better world. Cuba is the example to be followed, and Fidel is the symbol of the dignity of our peoples.

I wish to apologize to you, sir,, but when one is full of gratitude in one's heart, the last thing one is thinking about is protocol. That is why I wish to conclude by saying, "Long live Fidel! Long live Cuba!"

Mr. Lal (India): India associates itself with the statement by the representative of Thailand on behalf of the Group of 77 and China and the statement by the representative of Venezuela on behalf of the Movement of Non-Aligned Countries.

We welcome the Foreign Minister of Cuba among us here today.

India welcomes the restoration of diplomatic relations between Cuba and the United States of America, the historic visit of the President of the United States to Cuba in March and the further developments in that regard since then.

For more than two decades now, the General Assembly has considered annually the issue of the economic, commercial and financial embargo imposed by the United States against Cuba. It has consistently rejected the imposition of laws and regulations with extraterritorial impact and all other forms of coercive economic measures that hurt the progress and prosperity of people the world over. The Assembly has also called upon all States, in conformity with their obligations under the Charter of the United Nations and international law, to refrain from promulgating and applying laws and measures that have extraterritorial effects affecting the sovereignty of other States, as well as to repeal and invalidate any such laws. There can be little doubt that the continued existence of the embargo against Cuba, in contravention of world opinion as expressed by the Assembly, undermines multilateralism and the credibility of the United Nations itself.

As the world's largest democracy, with an abiding faith in multilateralism, India stands in solidarity with the international community in its unambiguous rejection of domestic laws having extraterritorial impact. Embargoes impede the full achievement of economic and social development by the population of the affected country, in particular where children and women are concerned. They also hinder the overall enjoyment of human rights, including the right to development, food, medical care and social services, among other things.

Successive reports of the Secretary-General have established — and this year's report (A/71/91) is no exception — that the embargo, particularly through its extraterritorial effects, has adversely affected the Cuban people and the development efforts of the country. At the same time, we would like to acknowledge the notable socioeconomic and developmental achievements of the Cuban people, in particular the high Human Development Index ranking of Cuba and its achievement of several of the Millennium Development Goals. The continued embargo would severely impact Cuba's ability to implement the comprehensive 2030 Agenda for Sustainable Development.

Cuba's expertise in health care, achieved despite the conditions imposed by the embargo, enabled it to respond quickly, effectively and in a substantial manner to the call made by the General Assembly two years ago to all nations to respond to the Ebola crisis in Africa.

In launching the transformative 2030 Agenda for Sustainable Development, world leaders again strongly urged all States to refrain from unilateral economic, financial or trade measures not in accordance with international law and the Charter of the United Nations. The international community needs to redouble its efforts to promote an environment free from sanctions and embargoes.

India hopes that the ongoing positive developments in the relations between Cuba and the United States will lead to the withdrawal of the embargo at the earliest possible date. India supports draft resolution A/71/L.3, submitted by Cuba.

Mr. Mangisi (Tonga): Let me start by recognizing and welcoming the Minister for Foreign Affairs of Cuba, His Excellency Mr. Bruno Eduardo Rodríguez Parrilla.

We also align our statement with that delivered by the representative of the Kingdom of Thailand as Chair of the Group of 77 and China.

As speakers have reiterated before me, and as undoubtedly the majority will do so after me as well, the decades of the operation of the economic, commercial and financial embargo imposed by our friend the United States on another friend of ours, Cuba, has caused and continues to cause significant economic damage, counted in the billions of dollars, resulting in the continuing immeasurable suffering of the people of Cuba. As the longest-lasting system of unilateral sanctions ever applied to one country, it unjustly hinders the economic and social development of the Cuban people. As a fellow small island developing State facing similar challenges, we feel and recognize the injustice of the embargo. We therefore join the call to end the economic, commercial and financial embargo imposed against Cuba.

Our call this morning cuts deeper, at a more personal level as well. In talking about friendships between our country and the United States and Cuba, our solidarity regarding the hardships and challenges imposed on the Cuban people should be understood at a personal level, given that we have nationals who are living side by side with the Cuban people on the ground as students. As a friend of the United States, we wish to reiterate again to the United States that the effects of such an archaic form of interference and intervention in the domestic and sovereign affairs of Cuba also results in undue difficulty to the lives of our nationals who are

striving, along with the Cuban people, to get by on a daily basis.

My Permanent Representative, who unfortunately cannot be here today because of official travel, looks forward to presenting his credentials in Havana next month and to meeting with our nationals in the hope of getting some reprieve for them because of the difficult situation that they are living in owing to the challenges imposed on them by the embargo, and thereby, by extension, on Tonga as a country. It is more personal to us to that extent, and, as a friend to a friend, we reach out to the United States to encourage it to see the negativity that the embargo creates, not only in terms of its relationship with Cuba but also for other countries that may be, or are, unduly affected as well by the embargo, like my own.

We recognize the positive steps that the United States has taken to date in its relationship with Cuba. Clearly, though, those steps may not be enough, as the Cuban people, along with our own nationals, are still experiencing challenges, which we often do not recognize, and they are being deprived of things that we take for granted here in the comforts of New York and at Headquarters. With elections looming here in the host country, we pray that the good works of the current Administration will be carried forward and that, in the meantime, the President of the United States will still use his executive powers to improve further its relations with Cuba before having to resort to congressional action.

We therefore reiterate our support for the right of the Cuban people to enjoy full freedom in their economic and social development, and we call for an end to the embargo imposed upon them.

Mr. Moustafa (Egypt) (*spoke in Arabic*): At the outset, I align myself with the statements delivered by the representative of Thailand on behalf of the Group of 77 and China, by the representative of Venezuela on behalf of the Movement of Non-Aligned Countries, by the representative of Kuwait on behalf of the Organization of Islamic Cooperation and by the representative of the Niger on behalf of the Group of African States. I would also like to make the following additional brief remarks.

It is with great pleasure that we welcome His Excellency Mr. Bruno Rodriguez Parrilla, Minister for Foreign Affairs of Cuba, and assure him of Egypt's enduring full support for and solidarity with the people and the Government of Cuba.

This year has witnessed important developments in the bilateral relations between Cuba and the United States, including the visit by the United States President to Cuba last March. We welcome such developments in bilateral relations and encourage further steps along that path. Nonetheless, the economic, commercial and financial embargo imposed by the United States against Cuba remains in place. The impact of such unilateral measures and the cost imposed on the Cuban people and economy are staggering. Between March 2015 and March 2016 the cost of the sanctions imposed on Cuba has been estimated at over $4.68 billion — a staggering amount.

As I mentioned earlier, Egypt will always be a steadfast supporter of the rights of the Cuban people and their demands to end the current situation. We reject the current unilateral embargo policy, which transgresses international legitimacy. For five decades that policy has adversely affected the Cuban people's access to food, medicines, education and advanced technology.

We encourage the United States to take brave decisions and steps to immediately lift of the embargo imposed on Cuba. We hope that such steps will pave the way for the normalization of the bilateral relations between the two countries in all spheres.

Mr. Mminele (South Africa): South Africa aligns itself with the statements delivered by the representative of the Kingdom of Thailand on behalf of the Group of 77 and China and by the representative of Venezuela on behalf of the Movement of Non-Aligned Countries.

We also acknowledge the presence of the Foreign Minister of Cuba.

My delegation supports draft resolution A/71/L.3. We believe that it provides a good basis for finally ending the embargo against Cuba and its people. South Africa and Cuba have a long-standing relationship and solidarity dating back to the struggle against apartheid and colonialism in Southern Africa. We take note of the report of the Secretary-General (A/71/91) issued on 21 July, which provides an assessment of where we are on the issue.

The Government of South Africa welcomes the historic rapprochement between the United States of America and Cuba and the visit to Cuba by President

Barack Obama in March — the first visit to Cuba by a sitting President of the United States in nearly 90 years. We hope that the next United States President will carry forward that rapprochement, as well as take all the necessary measures within his or her broad executive powers to deal with all outstanding issues.

South Africa remains seriously concerned about the illegal nature of the imposition of the blockade and about the immense human and economic suffering and hardship endured by the people of Cuba for more than half a century. Almost two years after the Governments of Cuba and the United States decided to rekindle their diplomatic relations and begin a process towards the normalization of their diplomatic relations, there have been no substantial changes in the application of the embargo policy in the national banking system.

Cuban monetary assets abroad continue to be persecuted by the embargo and its repercussions. That unhealthy state of affairs cannot be allowed to carry on, as it adversely affects the economic aspirations of Cuba and its people. It is critical that banking institutions in Cuba be permitted to make financial transactions in United States dollars so that bilateral and commercial relations between the two countries can be tangible and meaningful.

The current dire situation is aggravated by the state of uncertainty faced by banks in third countries. We would like to request Member States to support Cuba and its people by scrapping any domestic laws or regulations that continue to hamper the development of Cuba and its people.

Cuba continues to be a beacon of hope for many developing countries, and it plays its role in making this world a better place for all humankind. However, for Cuba the embargo remains the most significant obstacle in its quest to realize its development objectives, including those enshrined in the 2030 Agenda for Sustainable Development.

In the midst of the current global challenges and related uncertainties that continue to hamper the economic development of the Global South, there are positive activities taking place under South-South cooperation. In that regard, South Africa would like to make a special mention of one of Cuba's many contributions to South Africa.

Under the auspices of the South Africa-Cuba agreement on cooperation in the fields of public health and medical sciences, over 2,800 South African students are currently undertaking medical training in Cuba in order to help them qualify as medical doctors. So far, 500 South Africans from disadvantaged backgrounds have graduated as medical doctors after receiving training in Cuba.

In conclusion, the Republic of South Africa reiterates its unconditional support for the implementation of this year's draft resolution on the embargo. We take this opportunity to appeal once again to the international community to redouble its efforts to promote constructive and transparent dialogue between the two countries with a view to achieving the objectives of all the many previous resolutions adopted by the United Nations on the matter and to ensuring the sustainable further progress of the people of Cuba. The international community cannot, and should not, wait any longer for this matter to be resolved, if we are truly committed to leaving no one behind.

Mr. Sobrai Duarte (Brazil) (*spoke in Spanish*): My delegation aligns itself with the statements made by the representative of Thailand on behalf of the Group of 77 and China and by the representative of the Dominican Republic on behalf of Community of Latin American and Caribbean States. I make the following statement in my national capacity.

For decades the Brazilian Government has supported the normalization of the relations between the United States of America and Cuba. It was with great satisfaction that Brazil received the news of the re-establishment of diplomatic relations between the two countries, thus overcoming anachronistic animosities and generating positive effects for our entire region. It is especially symbolic that, almost 90 years after the last United States presidential visit to Cuba, President Barack Obama visited Havana in March this year.

We enthusiastically welcome the recent appointments of the Cuban Ambassador to Washington and the United States Ambassador to Havana, which is still awaiting approval from the United States Senate. We also welcome the concrete measures directly affecting the lives of citizens in both countries, such as the establishment of aerial, maritime and postal links and the facilitation of financial remittances.

Despite those advances, the well-being of the Cuban people, particularly those who are the poorest and most vulnerable, continues to be negatively affected by the blockade. We recognize the efforts of the President of

the United States to put an end to the embargo, and we consider it essential that the United States Congress begin discussions regarding the elimination of the embargo. The lifting of the embargo against Cuba has the indisputable support of the international community, made clear by the 191 votes in favour of resolution 70/5 at the previous session of the General Assembly.

My delegation is confident that the time has come for dialogue and cooperation, which could promptly lead to the end of the blockade.

Mr. Sevilla Borja (Ecuador) (*spoke in Spanish*): The unilateral blockade imposed by the United States against Cuba for 56 years is a blatant example of the reprehensible implementation of power politics. It will remain in the annals of history as a clear demonstration of abusive behaviour by a super-Power against a dignified and proud people who jealously cling to their sovereignty. This is shameful disregard by that super-Power for international law and the virtually unanimous opinion of the international community, which year after year at the General Assembly has demanded an end to that policy.

That behaviour comes from a country that in 1776 inspired the peoples of the world with its struggle for decolonization, independence and freedom. It is the country that joined the Allies to defeat nazism and fascism, thereby saving humankind. An original signatory of the Charter of San Francisco, its people, under the leadership of Martin Luther King, Jr., and Malcolm X, fought for the equality of human beings without regard for the colour of their skin. We hope that President Obama, who has lately taken bold, positive steps with regard to Cuba, will now, at the end of his term, adopt measures consistent with the best traditions of the history of his country.

With draft resolution A/71/L.3, which we will adopt in a few minutes, such anti-historical stubbornness to maintain an illegal and abusive blockade will be morally condemned once more, to the embarrassment of its practitioners. The Cuban people already triumphed, and their revolution persists and serves as an example.

Mrs. Rubiales de Chamorro (Nicaragua) (*spoke in Spanish*): We thank our dear colleagues from Cuba, including our brother and comrade Foreign Minister Bruno Rodríguez, for their presence here today.

We appreciate the updated information for the year 2016 that we have received in the Secretary-General's report on the impact of the criminal economic, financial and commercial blockade against the people and the Government of Cuba (A/71/91).

Cuba knows of and can be assured of our support and our unconditional solidarity. The Cuban revolution started with firmness and determination in its first steps towards dignity and the restitution of the political, economic and social rights of the peoples of Latin America and the Caribbean. After a more than five decades of resistance, the Cuban people and Government have created values personalizing dignity and sovereignty, reaffirming their socialist revolution and humanist values.

Cuba has always been the first to respond to our needs of all kinds in disasters or emergency situations. With reference to the Cuba of Fidel and Raúl and all their daughters and sons, Commander President Daniel Ortega rightly said at the ninetieth birthday celebration of Fidel:

> "We have learned so much from Fidel. He has taught us so much by his ardent words, his eloquence, his unique mission of justice, solidarity and complementarity in our efforts to unite and develop together our vigor and talents, our cultures and our citizenship in a free, sovereign and independent nation. Our American and Caribbean peoples — homeland and fighting peoples, homeland and valiant peoples, homeland and peoples who have forged revolution and evolution in dignity and pride."

We are delighted with the restoration of the relationship between Cuba and the United States of America. However, it is disappointing to note that the blockade continues. Despite the measures announced, the blockade persists. There are also the persistent will and policies to promote and impose changes in the economic, political and social order of Cuba, and the intention to continue developing programmes of interference.

It is unacceptable to our country that coercive and unilateral economic measures are being used as a selective political instrument to attack independent peoples and to implement policies of regime change. The prolonged negative effect of the blockade has been and continues to be the main obstacle to the sustainable development of the Cuban people. It is totally contrary to the approval of the 2030 Agenda for Sustainable Development and its implementation, to

which all Member States have committed. The historic and anachronistic blockade imposed on that heroic people and Government in violation of international law has been rejected by 191 countries, affirming that the mobilizing role of the international community has been, and will continue to be, essential for the lifting of the blockade.

While the Government of the United States of America persists in its failed and isolated policy against the people and Government of Cuba, and while it continues to ignore the universal call by the peoples of the world, including its own, the General Assembly will continue to demand the end and total dismantling of its inhumane, illegal and criminal blockade, which is supported by just two countries that have rebelled against the will of the international community. As long as the United States does not abandon its policy of interference and imposition, whether through coercive measures or efforts to achieve a change of Government, against Cuba and other developing countries, we will have to continue presenting draft resolutions on the topic to the General Assembly. My delegation will continue to support such draft resolutions, including that in A/71/L.3, presented today by our sister country of Cuba. We will vote in favour of it.

The international community hopes that in 2016 the United States will finally demonstrate greater political will so that this draft resolution can be adopted without a vote and we can finally witness the end of the blockade against Cuba, which will require guarantees ensuring the practical, total and complete dismantling of the blockade. Then the United States will be acting in harmony with the desires and aspirations of the international community.

In conclusion, I reiterate that Latin America and the Caribbean will continue to demand that the Government of the United States change its policy towards our continent. We want peace, respect and non-interference and the final and complete dismantling of the criminal blockade against Cuba, as well as the return to the fraternal Cuban people of their legitimate territory of Guantánamo.

Ms. Power (United States of America): For more than 50 years, the United States had a policy aimed at isolating the Government of Cuba. For roughly half of those years, Member States voted overwhelmingly for a General Assembly draft resolution condemning the United States embargo and calling for it to be ended. The United States has always voted against this draft resolution; today the United States will abstain. Let me explain why.

In December 2014, President Obama made clear his opposition to the embargo and called on our Congress to take action to lift it. Yet while the Obama Administration agrees that the United States embargo on Cuba should be lifted, it is not for the reason stated in the draft resolution before us (A/71/L.3). All actions of the United States with regard to Cuba have been, and are, in conformity with the Charter of the United Nations and international law, including applicable trade law and the customary law of the sea. We categorically reject the statements in the draft resolution that suggest otherwise.

But the draft resolution being voted on today is a perfect example of why the United States policy of isolation towards Cuba was not working — or worse, how it was actually undermining the very goals it set out to achieve. Instead of isolating Cuba, our policy has, as President Obama has repeatedly said, isolated the United States, including right here at the United Nations.

Under President Obama we have adopted a new approach: rather than to try to close off Cuba from the rest of the world, we want the world of opportunities and ideas to open its doors to the people of Cuba. After over 50 years of pursuing the path of isolation, we have chosen to take the path of engagement, because, as President Obama said in Havana, we recognize that the future of the island of course lies in the hands of the Cuban people.

In the nearly two years since President Obama announced the shift in our approach, we have amended the regulations implementing the embargo six times — most recently on 14 October — while finding ways to increase engagement between our Governments and our peoples. We have re-established diplomatic relations with the Government of Cuba, reopened embassies in our respective capitals, resumed regularly scheduled commercial flights between the United States and Cuba, facilitated people-to-people travel, eased restrictions on American businesses and entrepreneurs who want to do business in Cuba, and stopped limiting how often Cuban-Americans can visit their families on the island.

President Obama memorably became the first sitting United States President to visit Cuba since 1928;

and, in a much more modest journey here in New York, I made the first visit by a United States Ambassador to the United Nations to Cuba's Permanent Mission to the United Nations since the Cuban revolution. Today we add to that list the first United States abstention on the General Assembly draft resolution calling for the embargo to be ended.

Abstaining on the draft resolution does not mean that the United States agrees with all of the policies and practices of the Cuban Government. We do not. We are profoundly concerned by the serious human rights violations that the Cuban Government continues to commit with impunity against its own people — including arbitrarily detaining those who criticize the Government, threatening, intimidating and at times physically assaulting citizens who take part in peaceful marches and meetings and severely restricting the access that people on the island have to outside information.

As President Obama made clear when he travelled to Havana, we believe that the Cuban people, like all peoples, are entitled to basic human rights, such as the right to speak their minds without fear and the right to assemble, organize and protest peacefully. We say that not because those views reflect a United States-centric conception of rights, but rather because they are universal human rights — enshrined in the Charter of the United Nations and in the Universal Declaration of Human Rights — that all 193 Member States are supposed to respect and defend. They are rights that are essential for the dignity of men, women and children regardless of where they live or what kind of Government they have.

Let me be among the first to acknowledge that, as our Cuban counterparts have often pointed out, the United States has work to do in ensuring those rights for our own citizens. We know that at times in our history United States leaders and citizens have used the pretext of promoting democracy and human rights in the region to justify actions that have left a deep legacy of mistrust. We recognize that our history, in which there is so much that makes us proud, also gives us ample reason to be humble.

We also recognize the areas in which the Cuban Government has made significant progress in advancing the welfare of its people, from significantly reducing its child mortality rate to ensuring that girls have the same access to primary and secondary school as boys.

But none of that means that we should stay silent when the rights of the Cuban people are being violated — as Member States here at the United Nations have too often done. That is why the United States raised those concerns directly with the Cuban Government during our historic dialogue on human rights in Havana on 14 October, which shows that, while our Governments continue to disagree on fundamental questions of human rights, we have found a way to discuss those issues in a respectful and reciprocal manner. We urge other Member States to speak up about those issues as well.

The United States believes that there is a great deal that we can do together with Cuba to tackle global challenges. That includes here at the United Nations, where the decades-long enmity between our nations has at best been a distraction from and, at worst, an obstacle to carrying out some of the most important work of this institution and helping the world's most vulnerable people.

Let me conclude by giving just one example — a very moving example. In 2014, we were confronted with the deadliest outbreak of Ebola in our planet's history. The most dire predictions estimated that more than 1 million people could be infected within a few months. Yet while experts made clear that the only way to stop the epidemic was to confront it at its source, the international community was slow to step up. Many were paralysed.

It was in that context that President Obama decided to deploy more than 3,000 United States personnel to the epicentre of the outbreak, where they joined hundreds of Americans working for non-governmental organizations and humanitarian agencies in the hardest-hit areas. President Obama also set about rallying other Member States to do their part. One of the very first countries to step forward was Cuba, which sent more than 200 health professionals to the region — an awe-inspiring contribution for a country of just 11 million people.

One of them was a 43-year-old Cuban doctor named Félix Báez Sarria, who was dispatched to an Ebola treatment unit in Sierra Leone. In the course of treating those infected, Dr. Báez Sarria came down with the symptoms of the virus, and he quickly went from being the doctor to being a patient. As his condition deteriorated, he was airlifted to Geneva, where for two days he drifted in and out of consciousness. He

nearly died, yet miraculously he pulled through, and eventually returned to Havana, where he says he regained his strength by cradling his 2-year-old son.

I would like members to think, just for one moment, about what it took to save the life of Dr. Báez Sarria — a man who risked his life to save people from a country on the other side of the world. He was initially treated in the clinic where he worked, which had been built with the help of a United States-based non-governmental organization. From there he was transported to a clinic run by doctors from the British Ministry of Defence. Then he was airlifted to Switzerland aboard a medical transport plane operated by an American charter service. Upon arriving at the hospital in Geneva he was treated by Swiss doctors with a Canadian-developed experimental treatment.

Look at all the nations that played a part in saving the life of that brave doctor — a doctor who, after recuperating in Havana, actually chose to return to Sierra Leone so that he could rejoin his colleagues in the field in saving the lives of Sierra Leoneans. Dr. Báez Sarria and all his colleagues belonged to Cuba's Henry Reeve Contingent, which responds to international disasters and epidemics. It takes its name from a young American born in Brooklyn, who at the age of 19 travelled to Cuba to join the country's struggle for independence and gave his life, in 1876, fighting alongside Cubans for their freedom.

The President returned to the Chair.

When Dr. Báez Sarria returned to Sierra Leone he was asked why he had come back after all he had been through. He said simply,

> "I needed to come back. Ebola is a challenge that I must fight to the finish here in order to keep it from spreading to the rest of the world."

What I have just described is what the United Nations looks like when it works. Noble efforts like those are precisely why the United States and Cuba must continue to find ways to engage, even as our differences persist. Today we will take another small step to be able to do that. May there be many more — including, we hope, finally ending the United States embargo once and for all.

The President: I now give the floor to His Excellency Mr. Bruno Rodríguez Parrilla, Minister for Foreign Affairs of Cuba, to introduce draft resolution A/71/L.3.

Mr. Rodríguez Parrilla (Cuba) (*spoke in Spanish*): Almost two years have passed since President Barack Obama announced his willingness to use his executive powers and to work with Congress to lift the blockade against Cuba. During that period, the three Cuban anti-terrorist fighters returned; the unjustifiable inclusion of Cuba on the so-called list of State sponsors of international terrorism was eliminated; diplomatic relations were restored and embassies were reopened in the respective capitals; and the President of the United States, the Secretary of State and other members of the Cabinet visited Havana, along with dozens of senators, representatives and persons from many sectors.

There is no doubt that progress has been made in dialogue and cooperation on issues of common interest, and a dozen agreements rendering reciprocal benefits have been signed. And now the United States has just announced that it will abstain in the voting on draft resolution A/71/L.3.

However, the economic, commercial and financial blockade persists, harming the Cuban people and hindering the country's economic development. Given its marked extraterritorial character, the blockade also directly affects all States Members of the United Nations. The United States leader and other senior officials have described it as obsolete, useless in advancing American interests, failed, meaningless and unviable, a burden for citizens that harms the Cuban people and causes the United States to be isolated. The embargo should be lifted.

It has taken 24 years to change the lone vote of the United States of America in this Hall. It has been 24 years, as Ambassador Samantha Power has said, of isolation and failure. The 58 years of heroic resistance by our people serve as a backdrop for what is occurring. At this time, I am thinking of my people, of Fidel and Raúl, and of the young Cubans who have inherited our long, glorious struggle.

Some people have asked me why I am introducing the draft resolution again to the General Assembly. I cannot in any way underestimate the powerful political and moral message that the Assembly is sending to the peoples of the world. Truth always opens the way; justice ends up winning. The abstention just announced is certainly a positive step for the future of improving relations between the United States and Cuba. I thank Ambassador Power for her words and efforts.

However, most of the executive regulations and laws establishing the blockade remain in force and are being rigorously implemented by United States Government agencies. We recognize that the executive measures adopted by the Government of the United States are positive steps, but they have a very limited scope and effect. The measures taken in the area of telecommunications, unfortunately, pursue openly declared political and interventionist objectives, but they show how broad the powers of the President are. If he wanted to, he could authorize, tomorrow, trade, private loans and investments in all sectors of the Cuban economy.

The measures relating to trade with small private businesses — which measures are also, unfortunately, explicitly politically motivated — will not work on a substantial scale as long as the economic organization and structures of Cuba's foreign trade are not taken into account. Nevertheless, they show that in the area of trade there could be progress even if the blockade laws remain unchanged.

Some United States spokespersons have said that the Cuban system hinders the implementation of such measures. They know that that is not correct. It is the whole of the embargo that determines the current reality. It is obvious and well known that the President of the United States has broad executive powers that he has not used. He could substantially modify the practical implementation of the blockade and its humanitarian and economic impact. Does this change of vote mean that he will use those powers with determination?

Only 12 days ago, the United States Department of the Treasury and the Department of Commerce announced new measures that, although positive, have very limited scope. Mostly they are designed to broaden previously authorized transactions. Rather than benefit Cuba and the Cuban people, they favour the United States.

There is some good news. From now on, United States citizens who are authorized by their Government to visit Cuba or are travelling to other countries, will be allowed to buy and carry with them in their personal luggage Cuban products, without a limit on value, including rum and tobacco — whatever will fit into their personal luggage. Nevertheless, exporting those products to the United States is still prohibited. Why is that? Unless there are specific licenses, the new measures allow neither United States investments in our country nor joint ventures, not even for the production of Cuban pharmaceutical and biotechnology products — whose commercialization and distribution in the United States has, fortunately, been authorized, provided they receive approval from the United States Food and Drug Administration.

Exports from the United States to Cuba have not been expanded beyond the previously authorized limited sales, which exclude key sectors of the Cuban economy. No announcement has been made of other changes in the financial sector, thus the ban on opening transfer accounts by Cuban banks in similar United States institutions is still in effect.

For its part, the United States Congress has not approved any of the 20 amendments or legislative initiatives that, with bipartisan support, have proposed eliminating some restrictions in the blockade, or even the whole policy. On the contrary, more than 50 legislative initiatives have been introduced that threaten to reinforce basic aspects of the blockade and to prevent the President from issuing new executive orders or from implementing the measures already adopted. Nor have specific Government actions been undertaken in that regard.

It is therefore necessary to judge on the basis of the facts. The most important and obvious step is to dismantle the blockade — more important than speeches, press statements or even the vote of a delegation in this Hall. To reiterate, we must judge on the basis of the facts.

The human damage resulting from the blockade is incalculable. There is no Cuban family or industry in the country that has not suffered its effects on health, education, food, services, the prices of goods and wages and pensions. The imposition of discriminatory and onerous conditions, together with the deterrent effects of the blockade, restricts food purchases and acquisitions on the United States market of drugs, reagents, spare parts for medical equipment and instruments and others.

The United States company Medtronic could not establish contracts with Cuban companies to sell its deep brain stimulators to treat Cuban patients with Parkinson's disease and other neurological disorders. Very recently it claimed this was due to restrictions of the blockade. Nor was it possible for the multinational company Sigma-Aldrich to provide means of protection and chemical and biotechnological products requested

by the Cuban company Farmacuba for the manufacture of drugs in the country.

In May, the United States Nuclear Regulatory Commission notified the United States branch of the German company Eckert and Ziegler that it would deny its application for a license to provide its products to the Dutch company Philips, which is the calibration source for medical equipment acquired by the Oncology Institute in Cuba in 2013, affecting a vital service for cancer patients.

On 26 September, the Italian supplier of medical equipment Emildue notified the Cuban company Medicuba that the United States company Boston Scientific Corporation refused to sell a radio-frequency generator of the Cosman brand for diagnosing cancer. The blockade also affects the interests of American citizens themselves, who could benefit from various services in Cuba, including health care.

I express thanks to Ambassador Samantha Power for her heartfelt words, and I share her sentiments concerning the symbolic case of Dr. Félix Sarría Báez. That is an example of how much we could accomplish when there is international cooperation.

However, it cannot be forgotten that during the tragic time of the Ebola epidemic in West Africa, the deployment of Cuban medical aid was hampered by the refusal of the British Standard Chartered Bank to make transfers between the World Health Organization and the Cuban Medical Brigades, whose members — including Dr. Sarría Báez — risked their lives serving in direct contact with patients. Even under those extreme conditions, such transfers required specific authorizations from the Treasury Department. The Uganda branch of that bank closed the personal accounts of Cuban health workers in that country, and a Barclays Bank subsidiary also prevented them from making transfers to Cuba. The same thing happened with the Cuban cooperation personnel in the education sector in other countries.

These examples demonstrate the complex reality between the United States and Cuba. Nevertheless, this morning's focus is encouraging. Given the United States change in vote, one could ask whether such practices will cease.

No transfers were possible in August in cases involving maternal, child and ophthalmological services in Algeria, owing to refusals on the part of the transfer services of the Commerzbank of Germany and KBC Bank of Belgium. Under the shameful Cuban Medical Professional Parole Program for Cubans working in other countries, the United States attempts to hamper medical cooperation and to deprive those countries and my own of indispensable, highly qualified human resources. Last month, banks based in Pakistan refused to open a letter of credit requested by a company of that country for the purchase of 100,000 doses of the hepatitis B vaccine, on the grounds that Cuba was a country under United States sanctions.

The legal ban preventing American citizens from freely travelling to Cuba remains in force, which is a violation of their civil liberties and rights — though travel has been facilitated, under general licenses, only for purposes corresponding to the 12 categories authorized by United States law. A United States citizen runs the risk of paying a $100,000 fine for having travelled to Cuba accompanied by several persons.

The blockade continues to be a massive, flagrant and systematic violation of the human rights of all Cuban men and women and qualifies as an act of genocide under the Convention on the Prevention and Punishment of the Crime of Genocide, of 1948. It is an obstacle to international cooperation in humanitarian areas.

According to rigorous, careful and conservative estimates, between April 2015 and March 2016, the direct economic damage incurred by Cuba owing directly to the blockade amounted to $4.68 billion in today's dollars. The economic damage accumulated over almost six decades amounts to $753,688 billion, taking into account the depreciation in the price of gold. At current prices, that amounts to more than $125 billion dollars.

The blockade is the main obstacle to the economic and social development of our people. It constitutes a flagrant violation of international law, the Charter of the United Nations and the Proclamation of Latin America and the Caribbean as a Zone of Peace. Its extraterritorial application adds greater magnitude to its character as a violation of international law. How can one object to these claims? It suffices to read the legal documents.

We welcomed the announcement by the United States Department of the Treasury authorizing my country to use the United States dollar in its international transactions. Thus far, however, Cuba has

been unable to make payments or cash deposits in that currency, owing to fines and the intimidating effects of the blockade. And in third-party countries we have seen an increase in the cessation of operations, the closure of Cuban bank accounts abroad, the denial of credit and the rejection of transfers to or from Cuba.

When trying to access from Cuba the website of the Norton division of the Symantec company — which, among other things, provides services for blocking and removing malware and computer viruses — one reads, "In compliance with applicable United States laws, we are unable to process your request." Many other websites respond that the user does not have permission to access an Internet address from their server, or simply state "access denied".

Other factors in addition to the blockade contribute to our economic difficulties. These include the unjust international economic order, the global crisis, the historical distortions and structural weaknesses of underdevelopment, high dependence on energy and food imports, the effects of climate change and natural disasters, as well as — something that we do not hide — our own mistakes. Our people and the Government have fought hard to overcome that reality.

On 17 April, President Raúl Castro Ruz said,

> "We have the will to develop a respectful dialogue and build a new kind of relationship with the United States, such as has never existed between the two countries, because we are convinced that it can only result in mutual benefits."

More recently, on 17 December, he added,

> "We reaffirm our desire for relations of civilized coexistence with the United States, but Cuba will neither renounce even one of its principles nor compromise on its sovereignty and independence."

Historically, the Government of the United States initially intended to annex Cuba, and when that failed, it tried to exercise domination over it. On the triumph of the Cuban revolution, the United States Government set out to

> "provoke disappointment and discouragement through economic dissatisfaction and hardships ... denying Cuba money and supplies to reduce nominal and real salaries to provoke hunger, desperation and overthrow the Government".

The presidential policy directive published on 14 October states that the Government of the United States recognizes the sovereignty and self-determination of Cuba and that it is up to the Cuban people to make their own choices about their future. However, its misleading language does not hide the intent to alter the constitutional order and promote changes in the economic, political, social and cultural system of Cuba. Nor does it hide the intention to continue to develop interventionist programmes that serve the interests of the United States, nor the intention to infiltrate them into sectors of Cuban society.

The directive says that the United States will not pursue regime change in Cuba, but it admits that the United States will

> "support Cuba's emerging ... civil society; and encourage partners and non-governmental actors to join us in advocating for reforms. While remaining committed to supporting democratic activists ... we will also engage community leaders, bloggers, activists, and other social-issue leaders who can contribute to Cuba's internal dialogue on civic participation."

The directive continues, stating that United States will continue its

> "democracy and broadcasting programmes, while protecting our interests and assets, such as the Guantánamo Bay Naval Station .... The United States Government has no intention to alter the existing lease treaty and other arrangements related to the Guantánamo Bay Naval Station".

When the directive was presented, it was said that "We cannot simply sit back and wait for Cuba to change without getting involved."

The directive claims that Cuba remains indebted to the United States Government for bilateral debts incurred before the Cuban revolution. Maybe they think that the Cuban revolution will pay the debts of the bloody dictator Fulgencio Batista? They should understand that we are already free, precisely because in 1959 we rid ourselves of United States imperialism and the dictatorship that it imposed on us.

George W. Bush's "Initiative for a New Cuba" of 19 May 2002 sought to link the easing of the travel and trade bans in place to internal political and economic changes. Cubans responded on 26 June this year with 8 million signatures in support of the constitutional

amendment — which is part of the Constitution of the Republic of Cuba — that proclaims the irrevocable nature of socialism in our country.

It would be worthwhile to acknowledge that change in Cuba is a sovereign matter of Cubans alone and that Cuba is a truly independent country. That is so because it gained its independence on its own and has defended it, and will continue to defend it, at the price of the greatest sacrifices and risks. It must known that our people seized power, they empowered themselves long ago, and they daily exercise sovereign power, the people's power. Only that explains why we are here today.

We are proud of our history and our culture, which are our most prized treasures. We will never forget our past, because that is the way to never go back to it. We have already chosen our path towards the future. We know that it is long and difficult, but we will not deviate from it out of naiveté or because of sirens' songs or by error. No force on Earth can force us to do that. We have seen many dreams come true, both ours and those we have shared with other peoples. We have plenty of dreams that have yet to be realized. But they are our dreams. We do not need dreams that are alien to our culture or to our history.

The Cuban revolution was made, and is being made every day, for the young people and by the young people. Cuban youth, who seem to be so much of their time, are just as patriotic and anti-imperialist as their parents and grandparents. We have defended, and we will defend, our own values and symbols, which we will be enriching, but they will always be Cuban. We will never change them for others that are alien to us. We will struggle to build a nation that is sovereign, independent, socialist, democratic, prosperous and sustainable. We will not return to capitalism. As was stated by the Leader of the Revolution, Fidel Castro Ruz, on last 19 April:

> "We will improve what needs to be improved, with steadfast loyalty and united strength, as Martí, Maceo and Gómez did during their unstoppable march."

The lifting of the blockade is the key to our being able to advance towards the normalization of relations with the United States. It is what will give some meaning, depth and soundness to what has been achieved. The blockade is unjust, inhuman, immoral and illegal, and should unilaterally and unconditionally cease. The change in vote that Ambassador Power just announced is a promising sign. We hope that it will be reflected in reality.

We are deeply grateful to all the Governments and peoples, parliaments, political parties and social movements, civil society representatives and international and regional organizations that have contributed their voices or votes, year after year, to support the justness and urgency of the abolition of the blockade.

We convey our sincere gratitude to the American people for their growing support for this lofty cause.

The President: We have heard the last speaker in the debate on this item.

We shall now proceed to consider draft resolution A/71/L.3.

Before giving the floor to the speaker in explanation of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

I now call on the representative of Israel.

Mr. Danon (Israel): Israel welcomes the progress achieved in the relations between the United States of America and Cuba and hopes that it will lead to a new era in the region.

The President: We have heard the only speaker in explanation of vote before the voting.

The General Assembly will now take a decision on draft resolution A/71/L.3, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte

d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

None

Abstentions:

Israel, United States of America.

Draft resolution A/71/L.3 was adopted by 191 votes to none, with 2 abstentions (resolution 71/5).

The President: Before giving the floor to speakers in explanation of vote after the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Ružička (Slovakia): Slovakia extends its congratulations to the Cuban delegation.

I have the honour to speak on behalf of the European Union (EU) and its member States. The candidate countries the former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania; the country of the Stabilization and Association Process and potential candidate Bosnia and Herzegovina; Liechtenstein, a European Free Trade Association country and member of the European Economic Area; and the Republic of Moldova align themselves with this statement.

Since the re-establishment of diplomatic relations between Cuba and the United States and President Obama's appeals to the United States Congress to start working towards the elimination of the embargo, the situation has further evolved. The EU warmly welcomes the measures already taken and encourages their further implementation through relevant steps by both sides. In the meantime, however, fundamental restrictive measures are still in place. Under the new circumstances, they are even more of an anachronism.

Beyond the damaging impact of the embargo on ordinary Cubans, the effects and side effects of extraterritorial legislation and of unilateral administrative and judicial measures are also negatively affecting the economic interests of all. This requires even more urgent action, given the greater opening of the Cuban economy. American legislation such as the Cuban Democracy Act and the Helms-Burton Act extended the effects of the United States embargo to third-party countries. In the framework of its common commercial policy, the European Union has firmly and continuously opposed such extraterritorial measures. While recognizing the decisions of the United States Government to lift sanctions and restrictions on remittances and family travel to Cuba, to allow the provision of certain telecommunications, Internet and financial services and to export tools and building materials in order to support the Cuban people, we cannot accept the unilaterally imposed measures that impede economic and commercial relations with Cuba.

In that context, we warmly welcome the United States and Israeli abstention in the voting.

Contrary to our expectations, the situation for EU financial operators in and with Cuba that are targeted by extraterritorial sanctions has not improved, and has even worsened in some ways. This constitutes undue interference and problems for EU citizens, businesses and non-governmental organizations living, working or operating in Cuba. We expect an early solution to those problems, as normalization with Cuba should apply to all interested parties.

At a summit between the European Union and the United States in London in May 1998, a package was agreed upon that also sought to alleviate the problems with extraterritorial legislation. We advocate the prompt and full implementation of that agreement.

The negotiations on a political dialogue and cooperation agreement concluded in March. That agreement aims to consolidate relations and create an enabling framework for more effective dialogue, improved cooperation and expanded economic relations. The agreement is now being finalized and is slated to be signed in the coming months. The bilateral agreement will put the entire EU-Cuban relationship on a new and solid legal footing. It will also be a game-changer for our relationship and will open more doors and forums for dialogue with Cuba, including on the issues on which we still have fundamental differences.

Human rights are at the core of EU external relations. The second high-level discussion on these issues took place in Havana in June. We are encouraged that no subject will be off limits in those processes. The EU remains determined to pursue a comprehensive dialogue with the Cuban authorities and all sectors of Cuban society.

We reiterate the right of Cuban citizens to make independent decisions about their future. We call on the Cuban Government to fully grant its citizens internationally recognized civil, political and economic rights and freedoms, including the freedom of assembly and the freedom of expression and free access to information, as well as to ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Following the visit of the United Nations Special Rapporteur on the right to food, the Cuban Government should extend invitations to other rapporteurs to visit Cuba.

We note with concern the continued high frequency of short-term arrests, but at the same time we welcome the continued broad application of Cuban citizens' freedom to travel. We also welcome Cuban achievements in health care and education. On the other hand, the slow pace of economic modernization seriously hampers Cuban economic development. In that context, we recall the August 2011 adoption of a package of economic and social reforms by the Cuban Government. We expect that they will be extended and implemented in a manner that will address the key needs of the Cuban population.

The economic, commercial and financial embargo imposed by the United States contributes to the economic problems in Cuba, thus negatively affecting the standard of living of the Cuban people and aggravating the humanitarian situation there. Lifting the United States embargo could facilitate the opening of the Cuban economy, to the benefit of the people of Cuba. We again express our rejection of all unilateral measures directed against Cuba that negatively affect third parties' interests and thereby violate commonly accepted rules of international trade.

In the framework of our comprehensive agreement, we will work with Cuban counterparts to consolidate and expand improvements in all of the areas I mentioned. Through its cooperation and the future framework agreement, the European Union is ready to accompany Cuba along its path of reform and modernization. Substantial progress has been achieved in a constructive spirit on the topics of human rights, governance and civil society, inter alia.

Against that background, the member States of the European Union unanimously voted in favour of resolution 71/5. Once again, I congratulate the Cuban delegation for the result of the voting.

Mr. Ri Tong Il (Democratic People's Republic of Korea): The delegation of the Democratic People's Republic of Korea would like to join the previous speaker in extending its warm and heartfelt congratulations to the Cuban delegation.

Let me first express our intention to associate ourselves with the statements by the representative of Venezuela and the representative of Thailand on behalf of the Movement of Non-Aligned Countries and the Group of 77 and China, respectively.

The delegation of the Democratic People's Republic of Korea voted in favour of resolution 71/5, on the necessity of ending the economic, commercial

and financial embargo imposed by the United States of America against Cuba. My delegation condemns the United States embargo against Cuba as an active encroachment upon its sovereignty, a crime against humanity and an infringement of human rights, in violation of the Charter of the United Nations. The United States has been imposing a unilateral economic, commercial and financial embargo against the Republic of Cuba since its foundation.

The unilateral United States embargo, which has threatened the sovereignty of Cuba and its right to exist, is an act of hostile United States policy against Cuba. The damage done to the economy of Cuba due to the United States economic embargo is estimated to have reached astronomical figures. In spite of the establishment of diplomatic relations between the two countries last year, the atrocious United States economic embargo continues to this day. There have been only a few modifications to its implementation measures, but the overall United States policy towards Cuba to bring about regime change through an economic embargo has never changed.

The adoption of resolution 71/5 at the current session, as a follow-up to resolutions adopted in previous sessions, is a reflection of the goodwill of the international community and shows the Government and the people of Cuba the General Assembly's support and solidarity.

The delegation of the Democratic People's Republic of Korea takes this opportunity to extend its strong support for, and solidarity with, the Government and the people of Cuba as they struggle to safeguard their dignity and civility in their stand against the continuance of the unilateral embargo by the United States.

Mr. Rzheussky (Belarus) (*spoke in Russian*): I would like to take this opportunity to congratulate the Cuban delegation on the outcome of the voting on resolution 71/5.

The Republic of Belarus welcomes the positive steps made since 2015 in terms of restoring diplomatic relations between the United States of America and Cuba, the holding of meetings between leaders of the two countries and the easing of certain restrictive measures against Cuba, including the decision announced today about abstaining in the voting on today's resolution. We also welcome the signing of an agreement on the normalization of relations between the European Union and Cuba.

The easing by the United States of America of certain sanctions against Cuba in the banking and tourism sectors, the restoration of direct postal and trade communications and the delisting of Cuba from the Department of State's list of State sponsors of terrorism are important steps in the right direction. However, those steps are clearly insufficient as long as a general trade embargo against Cuba remains in effect.

We have repeatedly stressed that the imposition of unilateral coercive measures as a means of exerting political and economic pressure on developing countries contravenes the core principles of international law enshrined in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. Any attempts by certain States to alter the internal political systems of other States through military, political, economic or other means of coercion are inadmissible and counterproductive. That such measures are counterproductive was acknowledged today by the Permanent Representative of the United States, Ms. Samantha Power.

President Obama's recent decision to extend the trade sanctions against Cuba for another year is at odds with the recent steps and statements by officials in Washington. Not only does the decision hamper the development of the Cuban economy and encroach upon the rights and interests of both American and Cuban citizens, it also casts doubt upon the willingness of the United States to genuinely normalize relations with Cuba.

Belarus urges a prompt and full lifting of the economic, financial and trade embargo against Cuba by the United States of America. Only a full lifting of sanctions can demonstrate the intent of the United States to normalize bilateral relations with Cuba.

Ms. Mejía Vélez (Colombia) (*spoke in Spanish*): I congratulate the Minister for Foreign Affairs of Cuba, Mr. Bruno Rodríguez Parrilla, and his entire delegation on the adoption of resolution 71/5. The voting on the resolution we witnessed a few minutes ago was a historic event, as those who previously opposed this annual resolution have taken into account the rapprochement and improvement of relations between the United States and Cuba and decided to abstain.

As stated by all of those who have spoken before me, the economic, commercial and financial embargo

imposed by the United States against Cuba is contrary to international law and the spirit and the letter of the principles set out in the Charter of the United Nations. Since the adoption of resolution 47/19 in November 1992, Colombia, like all countries in Latin America and the Caribbean and the immense majority of Member States, has expressed its unrestricted support for Cuba and voted in favour of subsequent iterations of that resolution, including the one we have just adopted today.

Today was no exception. Support was reflected in the 191 votes in favour, which matched that for the resolution adopted at last year's session (resolution 70/5), which emphasized the need to put an end to a policy of more than 50 years — as the President of Colombia, Mr. Juan Manuel Santos Calderón, has expressed on repeated occasions.

My country reaffirms its policy of respect for international law and for the principles of political independence, self-determination of peoples, non-intervention and non-interference in the internal affairs of other nations. Colombia believes it indispensable that Member States make progress in building relations of cooperation and friendship based on multilateralism and respect for the principle of sovereign equality enshrined in Chapter I of the United Nations Charter.

We note with optimism the renewal of diplomatic relations between Cuba and the United States of America, as well as steps taken to improve their relations, with the understanding, as we have heard here, that a great deal remains to be done. We trust that, in following this path, the embargo will finally be lifted.

Mr. García Moritán (Argentina) (*spoke in Spanish*): At the outset, I wish to welcome the presence of Cuba's Minister for Foreign Affairs, Mr. Bruno Rodríguez Parrilla, and to thank him for his very detailed statement.

Argentina fully aligns itself with the statements made by the representative of Thailand on behalf of the Group of 77 and China and by the representative of Dominican Republic on behalf of the Community of Latin American and Caribbean States, and wishes to make the following points in our national capacity.

The historic position of Argentina has been, and continues to be, that the economic, commercial and financial embargo bythe United States against Cuba is contrary to international law and must urgently be lifted. In the framework of our absolute commitment to the Charter of the United Nations and to multilateralism, Argentina is opposed to the use of unilateral coercive measures, the extraterritorial implementation of national laws and the adoption of discriminatory commercial practices. In that regard, Argentina is in accord with the demand of the international community to lift the blockade and the laws and regulations that support that policy.

Argentina has traditionally supported resolutions of the General Assembly against the blockade and has spoken against the blockade on every occasion when the subject has arisen, in both regional forums and other international organizations. Argentina expressed its satisfaction and optimism about the process initiated at the end of 2014 by the Governments of the United States and Cuba to normalize bilateral relations and congratulates both Governments on the decision to undertake the path of dialogue, which will allow them to resolve all pending questions — including the lifting of the blockade.

We welcome the progress achieved in the past nearly two years, which includes the reopening of embassies in both capitals and the visits of the President of the United States to Cuba and Cuban authorities to Washington, as well as the executive measures implemented by the United States Department of the Treasury and the Department of Commerce, which introduced amendments to regulations. Those steps in the right direction mark a new era of Cuban-American bilateral relations that seeks to leave behind a history of disagreement and assumes a mutual recognition by both Governments as legitimate and equal interlocutors.

Nevertheless, we regret that the laws underpinning the embargo are still in effect. Their implementation continues to impede the full development of the Cuban people.

We welcome the fact that there were no votes against the adoption of today's resolution. We hope that this will be the last time the General Assembly adopts a resolution on this issue. We furthermore hope that next year the provisions of the resolution will become abstractions, thereby consigning the economic, commercial and financial embargo against Cuba to the past.

Mr. Rosselli (Uruguay) (*spoke in Spanish*): At the outset, I welcome the presence of the Minister for Foreign Affairs of Cuba, Mr. Bruno Rodriguez Parrilla.

Frankly, this is the type of statement that I would prefer not to have to make — in the first place because the embargo is still in place, but also because for more than 30 years I have been making statements of this type here, in the old General Agreement on Tariffs and Trade, in the World Trade Organization, in the Union of South American Nations, in the Latin American Integration Association, in the Common Market of the South and in the Community of Latin American and Caribbean States (CELAC). We would have preferred seeing that the situation had already changed.

As in previous years, Uruguay voted in favour of the resolution 71/5, introduced by the delegation of Cuba, because the blockade against Cuba runs counter to the rules of international law and the purposes and principles of the Charter of the United Nations, in particular non-intervention, peaceful settlement of disputes and the legal equality of States.

On principle, Uruguay rejects and does not recognize in its own national legislation the extraterritorial application of domestic laws of other States and direct or indirect measures that constitute unilateral action by any State that has as its objective sanctioning the sovereign decisions of another country in the political, economic, commercial, social and cultural spheres or any other area. In that connection, we condemn the application of unilateral coercive measures by the United States against Cuba.

We welcome the re-establishment of diplomatic relations between the Government of Cuba and the Government of the United States, which we acknowledge to be a positive step towards a new chapter in relations between the two countries. We welcome the removal of Cuba from the list of State sponsors of terrorism.

Nevertheless, we must put an end to the effects of the blockade that is still in place and affects the Cuban people with an economic and humanitarian burden. We certainly welcome the change of vote by the United States delegation to abstention, which means that the resolution was adopted today without opposition.

Our country believes that the sanctions and extraterritorial laws imposed against Cuba not only are a violation of international law, but also have inestimable consequences for the economic development of the Caribbean country. They are a way of depriving the Cuban people of the right to development, and they inflict a level of damage against their dignity and sovereignty that is impossible to quantify.

In voting in favour of resolution 71/5, Uruguay reiterates its commitment to multilateralism as a legitimate instrument for solving such disputes between States and an efficient way to promote international cooperation, human rights, security and understanding among people.

Uruguay aligns itself with the statements made by the representative of the Dominican Republic on behalf of CELAC and by the representative of Thailand on behalf of the Group of 77 and China.

Mr. Mra (Myanmar): I take the floor today to explain the vote of my delegation on resolution 71/5, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", which was just adopted by an overwhelming majority of Member States.

My delegation aligns itself with the statements made by the representative of Singapore on behalf of the Association of Southeast Asian Nations, by the representative of Thailand on behalf of the Group of 77 and China and by the representative of Venezuela and the Movement of Non-Aligned Countries.

Myanmar voted in favour of the resolution to demonstrate once again our firm opposition to any unilateral economic, commercial and financial embargoes imposed against any country. We fully understand the degree of loss and suffering caused by sanctions, because we have gone through similar experiences for decades. In the end, sanctions are counterproductive and affect only the innocent people of the country concerned.

As a member of the Non-Aligned Movement, Myanmar has steadfastly adhered to the principled position of the Movement in opposing the use of unilateral economic and trade sanctions. Sanctions are also contrary to the Charter of the United Nations, as well as to the international law principle of good-neighbourliness. Myanmar has always maintained that the relations among members of the international community should be based on mutual respect, and differences should be resolved through peaceful consultations.

Myanmar welcomes the re-establishment of diplomatic relations between Cuba and the United States represented by the reopening of their respective embassies in Havana and Washington, the historic visit by President Obama to Cuba in March and the easing of restrictions, including steps taken by the United States with regard to the Cuban draft resolution. These are important steps in enhancing bilateral relations and charting a new road map in order to build a brighter future for the present and future generations of both countries. Myanmar hopes that those important undertakings will lead to the earliest possible lifting of all the remaining restrictions imposed against Cuba.

Last September, world leaders gathered here at the United Nations to adopt the ambitious 2030 Agenda for Sustainable Development to move everyone, including our planet, towards a sustainable future. Member States also committed to working tirelessly for the full and effective implementation of the Goals and targets because they will open up new prospects and opportunities for global development and cooperation. One significant thing about this historic Agenda is that it calls for not leaving anyone behind. We are of the view that sanctions should be completely eliminated so that everyone will have the opportunity to achieve the Goals and targets of the 2030 Agenda.

For the reasons I mentioned, Myanmar once again voted in favour of the resolution. I offer congratulations to the Cuban delegation for the impressive result.

Mr. Phansourivong (Lao People's Democratic Republic): The Lao People's Democratic Republic aligns itself with the statements delivered by the representative of the Bolivarian Republic of Venezuela on behalf of the Movement of Non-Aligned Countries, by the representative of the Kingdom of Thailand on behalf of the Group of 77 and China, and by the representative of the Republic of Singapore on behalf of the Association of Southeast Asian Nations.

Cooperation and engagement are key factors for peaceful coexistence and mutual benefit in the era of interdependence. In that respect, the Lao People's Democratic Republic welcomes the important progress made in the past year on the re-establishment of diplomatic relations between the Republic of Cuba and the United States of America, including the reopening of embassies in both respective capitals, as well as the historic visit to Cuba by President Barack Obama, which has opened a new chapter in the relations between the two countries, which have been stalled for decades. The Lao People's Democratic Republic also welcomes the decision of the United States to abstain in voting on resolution 71/5, which is another positive step.

With the current positive developments in relations between the Republic of Cuba and the United States of America, the Lao People's Democratic Republic strongly hopes that the progress made thus far will be further enhanced, leading to the lifting of the unilateral embargo against the Republic of Cuba in the near future. The Lao People's Democratic Republic believes that lifting the embargo will be beneficial not only to both countries, but to the international community. Furthermore, the lifting of the embargo will create an environment conducive to further enhancing dialogue and cooperation between the two countries and enable Cuba to engage in trade and economic exchange with nations around the world, including the United States of America, thereby contributing to improving the well-being of the Cuban people and the development of their country. I warmly congratulate the Cuban delegation.

The President: We have heard the last speaker in explanation of vote for this meeting. We shall hear the remaining speakers at 3 p.m. here in the Hall.

The meeting rose at 1 p.m.

United Nations A/71/PV.33

General Assembly

Seventy-first session

Official Records

33rd plenary meeting
Wednesday, 26 October 2016, 3 p.m.
New York

President: Mr. Thomson ..... (Fiji)

In the absence of the President, Mr. El Haycen (Mauritania), Vice-President, took the Chair.

The meeting was called to order at 3.10 p.m.

Agenda item 39 (*continued*)

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Report of the Secretary-General (A/71/91)

The Acting President (*spoke in French*): Before giving the floor to speakers in explanation of vote after the voting on resolution 71/5, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Murtada Abu Obaida (Sudan) (*spoke in Arabic*): My delegation aligns itself with the statements delivered by the representative of the Bolivarian Republic of Venezuela on behalf of the Movement of Non-Aligned Countries, the representative of the Niger on behalf of the Group of African States, the representative of Thailand on behalf of the Group of 77 and China and the representative of Kuwait on behalf of the Organization of Islamic Cooperation (see A/71/PV.32).

Paragraph 30 of the 2030 Agenda for Sustainable Development urges Member States to refrain from implementing economic, financial and commercial unilateral measures that run counter to the principles of the Charter of the United Nations and international law, especially measures imposed against developing countries such as Cuba. The 2030 Agenda therefore reaffirms the illegality of the embargo policy. My country actively contributed to the drafting and adoption of all resolutions on coercive measures and unilateral sanctions, as well as the 2030 Agenda, which we back fully.

We welcome the progress made in the relations between Cuba and the United States and the visit of United States President Barack Obama to Cuba in March, where he stressed his intention to work on ending the economic, commercial and financial embargo imposed against Cuba, restoring diplomatic relations between the two countries and removing Cuba from the list of State sponsors of terrorism. Those are all positive steps, and we expect to see further steps that will lead to lifting the embargo and normalizing relations between the two countries.

Since 1997, my people have suffered under an unjust unilateral embargo that is renewed annually. It has adversely affected all aspects of life, as it restricts banking transactions and our access to grants and loans and spare parts for aircraft and railroads. That has even led to airplane crashes, resulting in the deaths of many women, children and men. It has also affected our opportunities for international cooperation, and it impacted our progress in achieving the Millennium Development Goals.

We express our solidarity with Cuba, as we share its understanding of the suffering and losses incurred by the Cuban people and the impact that it has had on the

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country and the Cuban people's right to development and access to basic health services, education, nutrition, culture, trade and regional and international financing opportunities. Without a doubt, the poor have suffered the most. We value the step taken by the United Nations High Commissioner for Human Rights in Geneva to appoint a Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. We call for Member States to support and to help implement the recommendations in the report introduced in the Human Rights Council in Geneva, where the Special Rapporteur spoke about the impact of coercive and unilateral measures on vulnerable groups in society.

Mr. Alarsan (Syrian Arab Republic) (*spoke in Arabic*): At the outset, I would like to welcome Mr. Bruno Rodriguez Parrilla, Minister for Foreign Affairs of the friendly nation of Cuba. I would like to renew the support of the Syrian Arab Republic for the Cuban Government and people as they confront the decades-long unjust embargo by the United States. We also congratulate Cuba on the significant diplomatic victory achieved today, which reflects the international community's rejection of the injustice that Cuba has suffered for over 50 years.

My delegation would like to align itself with the statements delivered by the representative of the Bolivarian Republic of Venezuela on behalf of the Movement of Non-Aligned Countries and by the repesentative of Thailand on behalf of the Group of 77 and China (see A/71/PV.32). We wish to present the following explanation of vote in our national capacity.

In our discussions of the unjust policies of various influential countries in the world, the decades-long United States embargo against Cuba continues to be a blatant example of an ongoing trend in United States foreign policy that is based on imposing embargoes, punishment and unilateral measures against countries that refuse to follow and submit to United States policies, and that simply wish to live in dignity and freedom and have their independence and national sovereignty respected.

Although the General Assembly has been meeting in this Hall for over half a century to stress, with an overall majority, that it rejects the United States embargo imposed against the Cuban people for that same period, the United States has continued to challenge the will of the international community and to violate the Charter of the United Nations, international law, human rights law and international humanitarian law. It also violates the basic principles of international relations that are based on respect for sovereignty and non-interference in the affairs of others, as well as respect for national stability and well-being. The international community has welcomed the new policy of the current United States Administration towards Cuba in the belief that the policy will put an end to the unjust embargo imposed against the Cuban people.

Following the visit of the United States President to Cuba, and the warm welcome he received, it seemed that this painful chapter of Cuban history would be closed. No one expected that the United States embargo and unilateral coercive measures against the Cuban people would continue, with new sanctions implemented against companies with a history of dealings with Cuban individuals and institutions conducting legal, banking, industrial and commercial operations pursuant to international trade laws and rules.

Out of principle, my country rejects unilateral measures imposed by any country, whether economic, commercial or financial, that undermine a country's sovereignty, impair its decision-making ability and force it to take specific actions or change its policies. Such unilateral measures constitute collective punishment of an entire population. They undermine the United Nations system and impede international trade operations and the enjoyment of human rights. It is now urgent for the Governments of countries that impose unilateral economic measures to realize that such measures actually increase anti-West sentiment and provide extremists and terrorists with a new weapon to influence vulnerable groups in society that are targeted by illegal unilateral measures. This in turn threatens international peace and security.

Based on those facts, the Syrian Arab Republic voted in favour of resolution 71/5, together with 190 other nations. The country that imposed this unjust embargo against the Cuban people abstained, as did the delegation of the Israeli occupation, which was not surprising, for it has voted against this resolution for 25 years. This demonstrates yet again that it respects neither international law nor the relevant United Nations resolutions nor the Charter of the United Nations.

My country calls on the General Assembly to take the necessary measures, based on the principles of the Charter of the United Nations, to end the aggressive

practices, embargoes and unilateral economic measures imposed against some countries. We also call for international efforts to be stepped up with a view to exposing the impact of such coercive unilateral measures, which are based on the use of force and hegemony to subjugate others.

We call for the lifting of the embargo imposed by the United States against Cuba and for an end to the unilateral measures imposed by the United States, members of the European Union and other countries against the Syrian Arab Republic. These aggressive coercive measures prevent the Syrian people from accessing basic services such as nutrition, health care, education, medical supplies, fuel, and agricultural and industrial items, as well as spare parts for civil aviation and telecommunications equipment. They violate the rights of the Syrian people and they damage our economy and efforts to combat terrorism.

One question remains unanswered: how can the United States, the countries of the European Union and others reconcile the statements they deliver here and in other forums — about democracy, human rights and sutainable development — with policies that are based on the oppression of peoples and the exploitation of their economic, humanitarian and social situations, or that give a free pass to those who support terrorists?

Mr. Dibaei (Islamic Republic of Iran): Today the General Assembly once again expressed its support for and solidarity with the Government and the people of Cuba through a decisive vote in favour of resolution 71/5, which calls for the lifting of the United States embargo against Cuba. One hundred and ninety-one Member States, including the Islamic Republic of Iran, voted in favour of the resolution. The adoption of Assembly resolutions on this topic, with such a wide range of support and over the course of so many years, clearly indicates the strong objection of the international community to unilateral economic coercive measures in general and the economic, commercial and financial embargo imposed against Cuba in particular.

It is also a sign of increasing sympathy with the aspiration of the Government and the people of Cuba to end this unlawful and inhumane embargo. The economic, commercial and financial embargo on Cuba, which has lasted for decades, serves no purpose other than inflicting tremendous hardship and suffering on the people of Cuba, especially women and children. The embargo has seriously jeopardized the legitimate rights and interests of Cuba and other States, as well as freedom of trade and navigation. It therefore must be lifted immediately, as requested by all the relevant resolutions of the General Assembly.

Differences and problems among countries should be resolved through peaceful means and dialogue on the basis of equality and mutual respect for the sovereignty of Member States. The Government of the Islamic Republic of Iran reiterates its strong belief that the economic, commerical and financial embargo against Cuba runs counter to the principles of international law that govern relations among States and contradicts the letter and spirit of the Charter of the United Nations, which calls for the promotion of solidarity, cooperation and friendly relations among nations.

Such measures continue to adversely affect the living conditions and human rights of the Cuban people and will hamper the efforts of the Government of Cuba to achieve the internationally agreed development goals, including the Sustainable Development Goals. In that context, the embargo continues to constrain the efforts of the Government and the people of Cuba to eradicate poverty and hunger and to promote health and education, which are indispensable means for the achievement of economic and social development.

The Islamic Republic of Iran remains opposed to the application of unilateral economic and trade measures by the United States against other countries, blocking the flow of people, trade and finance. We are also opposed to the extraterritorial application and effects of such national legislation on the sovereignty of other States. The sanctions are contrary to the principles of international law, the sovereign equality of States, non-interference in the internal affairs of States and peaceful coexistence among States.

The Islamic Republic of Iran, which has iself experienced economic coercive measures, shares the concern of the Government and the people of Cuba, and therefore emphasizes with the urgent need to put an end to such measures and fully implement the contents of resolution 71/5, adopted today.

Mr. Gumende (Mozambique): Mozambique would like to associate itself with all those countries that voted in favour of resolution 71/5, as it reflects the unconditional and overwhelming support and solidarity of the international community to the cause of the people of Cuba.

By advocating the end of the blockade against Cuba, Mozambique reaffirms its compliance with the principles of the Charter of the United Nations, as well as the implementation of internationally agreed relevant provisions, including resolution 70/5, adopted during the Assembly's seventieth session. In that context, Mozambique affirms that it has never promulgated, applied or contributed to the application of any of the laws or regulations mentioned in the Assembly's resolutions on this issue.

Mozambique welcomes the re-establishment of diplomatic relations between the United States of America and Cuba. The re-opening of the diplomatic embassies of the two countries and the visit of President Obama to Cuba are among the positive steps taken towards the normalization of bilateral relations. Mozambique commends those steps and wishes to encourage further progress towards the goals and aspirations that the voting pattern in this Hall every year clearly reflects. The result of the voting we have just witnessed represents an important milestone.

It is crucial to remove the existing economic, commercial and financial embargo against Cuba to allow the country to promote its national development more forcefully in this critical period of the implementation of the 2030 Agenda for Sustainable Development, which advocates that we should leave no one behind in pursuing this noble goal.

Notwithstanding the enormous economic and social challenges arising from the blockade, Cuba has played a principled role as a relevant development partner in the context of South-South cooperation and solidarity, a role that is worthy of our continuous praise. Indeed, in the framework of the implementation of our national development agenda, Cuba has always been a reliable cooperation partner, mainly in Mozambique's social sectors such as education and health, alongside other important bilateral and multilateral development partners, whose valuable support we cherish and greatly appreciate.

I would like to conclude by reiterating the support of Mozambique to the cause of the people of Cuba in their quest to secure the lifting of the economic blockade, which is long overdue.

Mr. Mendoza-García (Costa Rica) (*spoke in Spanish*): My country associates itself with the statement made on behalf of the Group of 77 and China, and with the statement made by the representative of the Community of Latin American and Caribbean States (see A/71/PV.32). We would also like to share some considerations in our national capacity.

Costa Rica welcomes the re-establishment of diplomatic relations between the United States of America and Cuba. We highlight the March visit of the President of the United States to Cuba, the first in 88 years, as a significant step towards improved and full bilateral relations. We applaud the measures announced by high-level officials of both countries with regard to political dialogue and openness in several mutually beneficial areas, with positive implications for the well-being of the Cuban people.

Today we welcome the new United States position of abstaining in the voting on resolution 71/5, newly adopted.

In fully keeping with international law and the principles undergirding the Charter of the United Nations, Costa Rica reiterates its firm opposition to the current policy of economic, commercial and financial embargo imposed against Cuba, particularly through the Helms-Burton Act, which is a true obstacle to international trade. My delegation stresses that, in line with the core position of our foreign policy, it entirely rejects unilateral and extraterritorial measures, applied by any State against any other, and carried out by the imposition of laws and regulations on third parties.

The official visit of Costa Rica's delegation to Cuba in December 2015 consolidated the process of formalizing diplomatic relations between the two nations and enabled bilateral trade and greater cooperation in work of mutual interest, such as higher education, technical and scientific cooperation and exchange, health, high-performance sports and foreign trade. The Costa Rican agency in charge of promoting foreign trade signed a cooperation agreement with ProCuba that supports the rapprochement of our countries, helps diversify foreign trade and promotes foreign investment.

Our times call for tearing down obstacles that separate nations and generate artificial divisions between peoples. The exchange and development of mutual knowledge of our realities and dreams will give way to greater respect and solidarity among all human beings.

For many decades now, the embargo imposed against Cuba has stood out as a tool of an outdated past

that must be replaced by fraternal engagement among nations in all areas of economic, social, technological and political cooperation within the framework of the 2030 Agenda for Sustainable Development. In that connection, I will end with the words of the President of the Republic, Luis Guillermo Solís Rivera, pronounced during the general debate at the current session of the General Assembly:

> "we reiterate our support for the lifting of the economic, commercial and financial blockade against Cuba in accordance with the systematic, almost unanimous, demands of the international community to that end." (*A/71/PV.10, p.18*)

Mr. Lucas (Angola): The Angolan delegation aligns itself with the statements of the representatives of the Niger, Thailand and Venezuela on behalf, respectively, of the Group of African States, the Group of 77 and China and the Non-Aligned Movement (see A/71/PV.32).

Allow me to begin by extending a warm welcome to Mr. Bruno Rodríguez Parrilla, Minister for Foreign Affairs of Cuba, and congratulating Cuba on the adoption of draft resolution 71/5, on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba. That adoption reflects the widespread support of the international community for the Cuban people.

Angola reiterates its appreciation for the normalization of diplomatic relations between Cuba and the United States. We also welcome President Barack Obama's historic visit to Cuba this year, in the expectation that it will be a tangible step towards the lifting of the embargo against Cuba. However, despite the encouraging steps taken by the President of the United States to normalize relations between the two countries, outstanding barriers remain. The resolution adopted today is relevant. Angola therefore voted in favour of it, as did the vast majority of the United Nations membership.

The persistence of the economic, commercial and financial measures imposed by the United States against Cuba is a cause for concern. We expect that the resumption of diplomatic relations between the two countries will prompt the United States authorities to continue to take measures aimed at completely ending the embargo, in line with the principles of mutual respect and respect for the Cuban people to freely exercise the right to choose their political and economic systems.

We regret that, despite the executive measures adopted by the President of the United States and his Administration, the embargo remains in force as an obstacle to the full normalization of relations between the two nations. We are particularly concerned about the persistent extraterritorial nature of the embargo, notably in the banking and financial areas. As clearly illustrated by Foreign Minister Rodríguez Parrilla in his statement this morning (see A/71/PV.32), the embargo has exacted an immense human and financial toll on the Cuban people. According to conservative estimates by Cuban authorities, between March 2015 and March 2016, the cost to Cuba of sanctions amounted to over $4 billion. In that context, Angola reiterates the urgent need to lift the economic, commercial and financial restrictions imposed by the United States against Cuba, which constitute a major obstacle to Cuba's economic, trade and financial relations with the United States and the rest of the world and prevent the Cuban people from developing their full potential.

Angola reaffirms its commitment to respecting, preserving and promoting the principles of the Charter of the United Nations and provisions of international law, as they constitute the basis of multilateralism in the collective effort to maintain international peace and security, further social and economic development and promote respect for human rights and fundamental freedoms. Angola commends, and once again encourages, the efforts of the Secretary-General to put an end to the embargo, which has been in force for over 50 years.

Angola reiterates its unconditional support for the implementation of the provisions set out in the resolution adopted today, and takes this opportunity to appeal once again to the international community to redouble efforts to promot constructive and transparent dialogue between the two countries and achieve the objectives of the resolution.

Finally, Angola commends the position adopted by the United States delegation in abstaining in the voting today, and strongly encourages the United States and Cuba to pursue dialogue and build a relationshipbased on mutual trust.

Ms. King (Saint Vincent and the Grenadines): Saint Vincent and the Grenadines aligns itself with the statements delivered today on behalf of the Caribbean Community, the Non-Aligned Movement, the Group of

77 and China, and the Community of Latin American and Caribbean States (see A/71/PV.32).

When President Obama elaborated his normalization process, most of the world had already determined that the policy of the United States in relation to Cuba had failed. Indeed, it was viewed globally as a ridiculous anachronism, a relic of the Cold War and the cause of an untenable, unnecessary and undesirable fissure in the hemispheric family. While Saint Vincent and the Grenadines certainly welcomes the steps taken to date by the Obama Administration, it is nevertheless mindful that the economic, commercial and financial blockade remains in place.

My delegation takes the floor today to reiterate that the economic, commercial and financial embargo constitutes the greatest obstacle to the development of the full potential of the Cuban economy and the well-being of its people. Saint Vincent and the Grenadines continues to believe that this blockade is morally unsustainable.

Opposition to that inhumane policy is now almost universal. In this very Hall, just over one year ago, the international community adopted the 2030 Agenda for Sustainable Development, which sets Goals to guide the creation of the future we want and aims at leaving no one behind.

The stirring and inspiring words of President Barack Obama in his inaugural address to the General Assembly in 2009 remain relevant and bear repeating again and again. He said then:

> "The choice is ours ... we can be a generation that chooses to see the shoreline beyond the rough waters ahead, that comes together to serve the common interests of human beings, and finally gives meaning to the promise embedded in the name given to this institution — the United Nations." (*A/64/PV. 3, p. 11*)

During his final address to the United Nations as President of the United States, President Obama rejected the notion that the future favoured the strong. He believes Governments serve people, not the other way around. We know that citizens across the United States are joining the international community by increasingly voicing their disapproval and calling for the lifting of the unilateral sanctions.

Saint Vincent and the Grenadines agrees with President Obama that we have made strides to better align our actions with our ideas. In that connection, we recognize and commend the decision of the United States to abstain in the voting today. However, we believe that President Obama possesses executive powers that will allow him to further modify the regulations governing the blockade. Let us look to the future, keep pace with the times and heed the insistent and consistent voice of the international community. Resolution 71/5 is a matter of moral rectitude and of the well-being of approximately 12 million Cubans.

Saint Vincent and the Grenadines enthusiastically voted in favour of resolution 71/5. We believe in change, and are encouraged by the abstention of the United States today. We live in renewed hope that next year there will be no need for us to vote on this resolution yet again.

Mr. Habib (Indonesia): Indonesia associates itself with the statements delivered earlier on behalf of the Group of 77 and China, the Movement of Non-Aligned Countries and the Association of Southeast Asian Nations (see A/71/PV.32).

In the past year there have been positive developments between Cuba and the United States in relation to the embargo imposed in 1961. Some of the highlights include the restoration of diplomatic relations between Cuba and the United States and the first visit by a United States President to Cuba. At about this time last year, the international community adopted the 2030 Agenda for Sustainable Development, which is premised on the commitment to leave no one behind. We hope that those events can serve as a foundation on which to build cooperation between the two countries and bring about inclusive and sustainable development.

Nevertheless, the long-standing embargo has remained, and therefore is still a concern here at the United Nations. The embargo has created endless economic and social hardship and suffering for the people of Cuba, especially for vulnerable groups, such as children and women. The blockade is also one of the main factors preventing Cuba from developing the full potential of its economy, while at the same time it has sapped Cuba's ability to promote the welfare of the Cuban people.

Furthermore, Indonesia believes that the imposition of an economic, commercial and financial embargo against Cuba contradicts the main principles of international law, including the principles of the sovereign equality of States and of non-intervention

and non-interference in another's domestic affairs. It also runs counter to international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States. More important, the application of the embargo goes against the spirit of the 2030 Agenda for Sustainable Development and the commitment to leave no one behind.

While welcoming the initial steps in the normalization of bilateral relations between Cuba and the United States, including the United States President's expression of willingness to work towards the lifting of the blockade, Indonesia believes that more needs to be done. In particular, steps should be taken to accelerate the process of repealing the laws and regulations that allow the United States embargo to take place.

Bearing in mind the considerations I mentioned, and fully taking into account Indonesia's cordial ties with, and strong support for, the Government and the people of Cuba, and of the United States, Indonesia would like to join other States Members of the United Nations in calling for the immediate cessation of the economic, commercial and financial embargo imposed by the United States of America against Cuba. Indonesia therefore supported the adoption of the resolution 71/5.

Mr. Boukadoum (Algeria): We have heard so many voices from all over the world stating once again their firm stand against the continuation of the unjust economic, commercial and financial embargo imposed unilaterally on Cuba for more than half a century. Today there is almost unanimity among Member States in unequivocally calling for the lifting of the embargo.

Algeria considers Cuba more than just a friend that stood by it in dire times. Cuban doctors have shown their commitment and expertise well beyond their borders and, most recently, were at the forefront in fighting the Ebola virus epidemic. They did so on behalf of and for the sake of the whole international community, with no payback whatsoever.

Let me also state that we welcomed wholeheartedly the resumption of diplomatic relations between the United States of America and Cuba, and we likewise followed the bold decisions taken by President Obama before, during and after his trip to Cuba.

Today's abstention in the voting by the United States is extremely reassuring and positive. A few steps are left to complete this historic effort — the total lifting of the embargo for the sake of the Cuban and the American peoples, but also for the sake of the whole world and the new opportunities that would thereby be opened.

In that regard, I sincerely commend Mr. Bruno Rodriguez Parrilla for this ground-breaking success. But I also want to stress the very encouraging and promising stand expressed by Ambassador Samantha Power on today's outcome (see A/71/PV.32). It is a success for everyone. Seldom do we have such near unanimity on any text in the United Nations. It is a victory for Cuba, but also for the United States — and, beyond that, for multilateralism.

Algeria is proud to have participated for years now in the formation of this consensus. May it be a good omen for other conflicting issues at the United Nations.

Mr. Zamora Rivas (El Salvador) (*spoke in Spanish*): El Salvador aligns itself with the statement delivered by the representative of the Dominican Republic on behalf of the Community of Latin American and Caribbean States and the statement delivered by the representative of Thailand on behalf of the Group of 77 and China (see A/71/PV.32).

The Government of El Salvador sees the outcome of the voting this morning as positive. No country in the world expressed its opposition. This is a historic milestone in international politics. For that reason, we welcome this step forward, which we hope will lead to the total lifting of the embargo against Cuba as quickly as possible. Today the Government of Cuba can now say to its people and to all peoples that no Government in the world supports the embargo, including the Government that had initiated it. That is a huge achievement.

El Salvador respects the purposes and principles enshrined in the Charter of the United Nations and notes that they continue to be valid and must be respected by all Member States in the process of the changes we have initiated. The President of my own country, Salvador Sánchez Cerén, stated at the seventy-first session of the General Assembly:

> "In the Americas, we have noted with satisfaction the progress made by Cuba and the United States in restoring their relations. However, we believe that this change will not bring the expected benefits to the people of both countries

if the economic embargo is not brought to an end." (*A/71/PV.14, p.11*)

El Salvador commends the efforts made in the context of restoring diplomatic ties between the two countries, including the reopening of embassies, the visit to Cuba by President Obama in March, the resumption of regular ties between the two countries, the adoption of measures on the use of the United States dollar in international transactions and the amendments enacted by the Department of the Treasury and the Department of Commerce of the United States to some of the regulations governing the embargo. However, although these measures constitute welcome steps, they are limited and modify only some aspects of the embargo.

The opening of the relationship between the two countries is a clear anomoly for the international community. However, the opening of international relations means the recognition of each other's sovereignty, signifying friendship between them. That is incompatible with one of those countries continuing an embargo against the other, causing unnecessary and unjust difficulties and distress for the people.

I think it worth pointing out that, despite these measures, Cuba, through perseverance and determination, has been able to overcome in an exemplary manner the obstacles and adversities standing in its way. El Salvador applauds the progress that Cuba has made in strengthening its economy and improving its productive processes. Under the blockade, the effects on the Cuban people in the areas of nutrition, health and education are glaringly obvious. At the same time, Cuba continues to be prevented from freely exporting and importing products and services to and from the United States. It cannot have direct banking relationships with this country, nor can it receive United States investment in other sectors of the economy, apart from the telecommunications sector. The upsurge of the embargo is reflected in the imposition of fines running into the millions of dollars meted out against banks and financial institutions that maintain links with Cuba, as well as in the bias against international financial transactions that include Cuba.

El Salvador calls for a complete end to the economic, commercial and financial embargo that persists against Cuba, because not only is it unjust and illegal, but it also lacks the international community's support. In that regard, El Salvador reiterates the importance of compliance with the provisions of resolution 47/19, adopted on 24 November 1992, and compliance with all the subsequent relevant resolutions adopted by the Assembly year after year, up to the present, that have emphasized the necessity of ending this embargo.

Finally, the Government of El Salvador reiterates the three aspirations that are cherished not just by the Cuban people, but also by our own peoples and Governments. First, the Government of the United States will unilaterally lift the embargo. Secondly, dialogue between Cuba and the United States will continue. Thirdly, after so many years, all the peoples of the Americas, without exception, will be able to sit at the same table.

Mr. Raja Zaib Shah (Malaysia): Malaysia aligns itself with the statements delivered by representatives on behalf of the Movement of Non-Aligned Countries, the Group of 77 and China, the Organization of Islamic Cooperation, and the Association of the Southeast Asian Nations (see A/71/PV.32).

The General Assembly has consistently adopted the draft resolution on this subject by an overwhelming majority since it was first submitted in 1992. For more than 24 years, the Assembly has demanded an unconditional lifting of the embargo that has caused enormous suffering and untold hardship for the Cuban people. The nearly unanimous recorded vote this year clearly demonstrates the concerted international stand of 191 countries with Cuba on the annual draft resolution calling for an immediate end to the embargo against that country. The unilateral action in question runs counter to the purposes and principles of the Charter of the United Nations. The General Assembly has always reiterated its rejection of coercive measures that could adversely affect the socioeconomic development of developing countries. The continued existence of the embargo undermines multilateralism and the credibility of the United Nations.

The 2030 Agenda for Sustainable Development, adopted by the General Assembly in 2015, includes a paragraph urging Member States to refrain from applying unilateral financial and commercial measures that run counter to the principles of the United Nations and international law, especially to developing countries. An immediate end to the embargo is critical to improving the living standards of the Cuban people, particularly in view of the 2030 Agenda theme of leaving no one behind.

Malaysia welcomes the restoration of diplomatic relations between Cuba and the United States and the lifting of restrictions on travel and remittances. We also welcome the recent visit by President Obama to Cuba in March.

Malaysia applauds the United States for its decision today to abstain in the voting on resolution 71/5, which is a step in the right direction. We acknowledge that much remains to be done. We encourage the United States and Cuba to continue to engage in an open and constructive dialogue, which must be conducted with mutual respect and without any preconditions.

Malaysia firmly believes that the complete lifting of the embargo will not only significantly improve the quality of life and living standards of the Cuban people, but will also contribute to peace, security and stability in the Americas.

Mr. Shaltut (Libya) (*spoke in Arabic*): At the outset, my delegation aligns itself with the statements delivered on behalf of the groups to which we belong (see A/71/PV.32).

My delegation has taken note of the report of the Secretary-General on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba (A/71/91), which was prepared pursuant to resolution 70/5, adopted in 2015.

My country welcomes the improved relations between the United States of America and Cuba, as evidenced in particular by the visit of President Barack Obama to Cuba in March and the steps taken by the United States Administration to amend several aspects of the embargo against Cuba, which we consider a step in the right direction. We are hopeful that further steps and measures will be taken with a view to lifting the embargo completely.

In line with the Charter of the United Nations and international human rights law, Libya has never implemented any of the laws or measures referred to in paragraphs 2 and 3 of resolution 71/5. My country fully believes that the only way to settle differences between countries is through peaceful means and that imposing unilateral measures against countries runs contrary to the Charter and the Universal Declaration of Human Rights. Such measures constitute an obstacle to, and disrupt the process of, the development and prosperity of nations. They stand in the way of achieving the Sustainable Development Goals, which the General Assembly adopted unanimously one year ago.

For all of those reasons, my country voted in favour of the resolution 70/5. We believe that such unilateral measures must not be reproduced in the future.

Ms. Scott (Namibia): Namibia would like to join other delegations in congratulating the Cuban delegation on the vote.

My delegation aligns itself with the statements made by the representatives of Venezuela on behalf of the Non-Aligned Movement (NAM), of the Niger on behalf of the Group of African States, and of Thailand on behalf of the Group of 77 and China (see A/71/PV.32).

We would like to take this opportunity to commend Cuba for its humanitarian and other assistance to many developing countries, including Haiti and Namibia. Namibia thanks the Secretary-General for his report (A/71/91) on the implementation of resolution 70/5.We want to say that we indeed welcome the statement made this morning by the representative of the United States of America (see A/71/PV.32)

The title of this agenda item — "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" — says it all. Other words related to "necessity" include "inevitable", "obligation" and "stipulation". As was highlighted in the statement made on behalf of NAM, the economic, commercial and financial embargo against Cuba is contrary to international law and the Charter of the United Nations. It is disheartening that, after 54 years, the embargo policy against Cuba has yet to end.

Namibia understands that the United States holds the law in the highest regard. We need therefore to ask that country, following the visit in March by His Excellency Mr. Barack Obama, President of the United States: was the international community remiss in believing that this senseless embargo would have been lifted by now? Namibia was hopeful when Cuba was removed from the list of State sponsors of terrorism, on which Cuba should have never been placed in the first place.

Yet the embargo remains very much in place, as the Secretary-General's report indicates. The report also states clearly that, despite a number of amendments to regulations that keep the policy in place, the economic

hardship imposed by the United States has not come to an end. The report states, on page 27, that financial and extraterritorial aspects of the embargo have been further intensified under the Trading with the Enemy Act of 1917.

Based on the logic of law, it is not understandable or logical that the United States should continue to regard Cuba as an enemy. Furthermore, it is not clear why the blockade against Cuba was further strengthened through the imposition of fines, in excess of $13.2 billion, on those entities having relations with Cuba.

The establishment of diplomatic relations is an important first step towards the normalization of relations between Cuba and the United States. We have been greatly encouraged by recent diplomatic talks and by the policies of rapprochement adopted by the United States with regard to Cuba. We would also encourage determined progress towards the further easing of the remaining restrictions in the areas of travel and telecommunications, as well as remittances.

Namibia urges the Government of the United States of America to fully normalize relations with the Republic of Cuba by lifting all unilateral coercive measures, not only owing to their illegality but also because of humanitarian considerations. We look forward to the ending of the economic, commercial and financial embargo.

The Acting President (*spoke in French*): May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 39.

It was so decided.

The meeting rose at 4.10 p.m.

United Nations A/71/PV.34

General Assembly

Seventy-first session

Official Records

34th plenary meeting
Thursday, 27 October 2016, 10 a.m.
New York

President: Mr. Thomson ..... (Fiji)

The meeting was called to order at 10.10 a.m.

Agenda item 70

Report of the International Court of Justice

Report of the International Court of Justice (A/71/4)

Report of the Secretary-General (A/71/339)

The President: I welcome The Honourable Judge Ronny Abraham, President of the International Court of Justice, to the General Assembly.

Before we turn to the report of the Court (A/71/4), I would like to take this opportunity to make a few remarks about the role of the Court in international relations and in furthering our goal of the peaceful settlement of international disputes.

In April, the international community celebrated, in The Hague, the seventieth anniversary of the International Court of Justice, the principal judicial organ of the United Nations and the tireless custodian of the international legal order. Over the past seven decades, the success of the Court as an impartial arbiter has been proven time and again, as the confidence of the international community in the Court's capacity to deliver justice has grown. More and more States have sought resolution of their disputes through the decisions of the International Court of Justice. It is clear that the existence of the Court and its ability to deliver justice for all have shaped the course of history.

We can ask ourselves how many conflicts, how many fatalities and how much human suffering have been avoided thanks to the availability of the Court to peacefully settle States' international disputes. We can reflect as well on how much the rule of law has been strengthened internationally thanks to the authority of the Court's judgments. Moreover, it would be impossible to measure how many international, national and sub-national authorities have drawn inspiration from international law, based upon the Court's judgments and advisory opinions.

What we know is that the International Court of Justice is an indispensable part of the United Nations system and its ability to maintain international peace and security. This landmark anniversary year calls on all of us to reflect on the Court's critical role. Let us therefore take this opportunity to reaffirm our steadfast support for the Court and its jurisdiction.

Let me express my appreciation to the President of the International Court of Justice for the work of the Court.

It is now my honour to invite Judge Ronny Abraham, President of the International Court of Justice, to take the floor.

Judge Abraham, President of the International Court of Justice (*spoke in French*): I would like to thank the General Assembly for continuing the practice of allowing the President of the International Court of Justice to present the activity of the Court over the past year, a practice that reflects the Assembly's interest in and support for the Court.

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

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Before informing the Assembly about the work of the Court during the past 12 months, I would like to take this opportunity to congratulate you, Mr. President, on your election to the presidency of the General Assembly at its seventy-first session. I wish you every success in discharging that distinguished role.

Between 1 August 2015 — the starting date of the period covered by the Court's report (A/71/4) — and today, up to 15 contentious cases have been pending before the Court, and hearings have been held in seven of them. The Court first heard the oral arguments of the parties on the preliminary objections raised by the respondent in the cases *Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)* and *Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan Coast (Nicaragua v. Colombia)*. It then held hearings on the questions of jurisdiction and admissibility raised in the cases *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. India)*, *(Marshall Islands v. Pakistan)* and *(Marshall Islands v. United Kingdom)*. The Court also heard oral arguments from the parties, a few weeks ago, on the preliminary objections raised by Kenya in the case *Maritime Delimitation in the Indian Ocean (Somalia v. Kenya)*. That case is currently under deliberation. Finally, last week, between 17 and 19 October, the Court held hearings on a petition for provisional measures submitted to it by Equatorial Guinea on 13 June 2016, in the case *Immunities and Criminal Proceedings (Equatorial Guinea v. France)*. The Court will shortly render its decision on that petition.

Since 1 August 2015, the Court has also rendered seven judgments. One contemplated the merits of the joined cases *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)* and *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, and the other six settled preliminary questions relating to the jurisdiction of the Court and the admissibility of certain claims.

Lastly, it should be noted that the Court also decided, for the first time in many years, to solicit an expert opinion in one of the cases pending before it — the case *Maritime Delimitation in the Caribbean Sea and the Pacific Ocean (Costa Rica v. Nicaragua)*. It did so by issuing an order to that effect on 31 May 2016.

I shall now give a brief account of the substance of those decisions.

First, I shall address certain aspects of the judgment rendered on the merits of the claims of Costa Rica and Nicaragua in the two joined cases *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)* and *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, respectively.

In its 16 December 2015 judgment, the Court first heard the first of those two cases. I would recall that the proceedings were instituted in late 2010 by Costa Rica, which complained in particular that Nicaragua had invaded and occupied what it claimed to be Costa Rican territory; that it had dug a channel, also known as a "caño" thereon; that it had conducted a number of works, notably dredging in the San Juan River, in violation of its international obligations; that it had breached the provisional measures indicated by the Court in the case in 2011 and 2013; and, finally, that it had breached Costa Rica's navigation rights on the San Juan River.

In order to settle the dispute before it, the Court first dealt with the question of which of the two States had sovereignty over the disputed territory. To do so, the Court considered the Treaty of Limits by which the Parties had fixed the course of their land boundary in 1858, as well as a number of arbitral awards in which two arbitrators had given their interpretation of certain disputed points in relation to the Treaty of Limits.

The Court concluded from its analysis of those instruments that sovereignty over the territory in dispute in the case belonged to Costa Rica. It therefore found that the activities carried out by Nicaragua in that territory since 2010 were in breach of Costa Rica's territorial sovereignty and that Nicaragua was obliged to make reparation for the damage caused.

The Court then turned to the question of whether, through its activities on its own territory, in particular in the San Juan River, Nicaragua had violated obligations incumbent upon it under international environmental law. It considered first the question of compliance with procedural obligations that had allegedly been breached, those obligations being of both a customary and a conventional nature. The Court found that the activities carried out by Nicaragua were not such as to give rise to a risk of significant transboundary harm and that the respondent was thus not under an obligation

to carry out an environmental impact assessment, or to notify and consult with the applicant in that regard.

The Court further stated that it was not convinced that Nicaragua had breached any obligation to notify and consult contained in international conventions, as was alleged by Costa Rica in the case. It therefore concluded that Nicaragua had not violated any procedural obligations. Secondly, with respect to substantive obligations, the Court concluded that the available evidence did not show that Nicaragua had caused prejudice to the territory of Costa Rica or breached its obligations concerning the prevention of transboundary harm by engaging in dredging activities in the lower San Juan River.

The Court continued its analysis by examining whether Nicaragua had breached its obligations under the orders handed down in the same case indicating provisional measures. Indeed, by an order of 8 March 2011, the Court had ordered a number of provisional measures in that case, the binding nature of which was not in dispute. I would recall that the Court stated in its *LaGrand (Germany v. United States of America)* judgment, rendered on 27 June 2001, that such measures are binding on the parties. On the basis of the facts presented to it, which were uncontested by the parties, the Court found that Nicaragua had breached its obligations under the 2011 order.

The Court next addressed Costa Rica's allegations that Nicaragua had committed a number of breaches of its navigational rights on the San Juan River. Finding that Nicaragua had not provided a convincing justification for the conduct of its authorities in incidents concerning navigation on the San Juan River by inhabitants of the Costa Rican bank of the river, the Court concluded that Nicaragua had breached Costa Rica's navigational rights on the San Juan River pursuant to the 1858 Treaty of Limits.

Concerning the reparation requested by Costa Rica, the Court held that the declaration that Nicaragua had breached the territorial sovereignty of Costa Rica by excavating three caños and establishing a military presence in the disputed territory provided adequate satisfaction for the non-material injury suffered on that account; the same applied to the declaration of the breach of the obligations under the Court's order of 8 March 2011 on provisional measures, and to the declaration of the breach of Costa Rica's navigational rights.

The Court further considered that Costa Rica was entitled to receive compensation for the material damage caused by Nicaraguan breaches. It stated that the parties should engage in negotiation in order to reach an agreement on the compensation issues. However, the Court specified that if the parties failed to reach such an agreement within 12 months of the date of its judgment, it would itself, at the request of either party, determine the amount of compensation.

Having examined the case of *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)*, the Court turned secondly to the matters in dispute in the case of *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*. I would recall in that respect that the proceedings had been instituted by Nicaragua against Costa Rica on 22 December 2011, the applicant alleging "violations of Nicaraguan sovereignty and major environmental damages to its territory". Nicaragua contended, in particular, that Costa Rica was carrying out major road construction works in the border area between the two countries, along the San Juan River, in breach of a number of international obligations and with grave environmental consequences for Nicaragua.

The Court therefore examined whether Costa Rica had breached obligations of a procedural or substantive nature in respect of environmental protection. With regard to the procedural obligations, the Court first considered the alleged breach of the obligation to carry out an environmental impact assessment. It found that the road construction project undertaken by Costa Rica carried a risk of significant transboundary harm. It therefore concluded that the threshold for triggering the obligation to evaluate the environmental impact of the road project had been met. Finding also that Costa Rica had, in any event, not shown the claimed existence of an emergency that would, in its view, have justified constructing the road without undertaking an environmental impact assessment, the Court considered whether Costa Rica had complied, in the circumstances of the case, with its obligation to carry out such an assessment.

It observed that that obligation required an ex ante evaluation of the risk of significant transboundary harm — that is to say, before the implementation of the project — whereas the studies carried out by Costa Rica were post hoc assessments that evaluated the environmental impact of stretches of the road already built, and not the risk of future harm. The Court thus

concluded that Costa Rica had not complied with its obligation under general international law to carry out an environmental impact assessment concerning the construction of the road. In view of that conclusion, the Court considered that it need not determine whether Costa Rica was required under general international law to notify and consult with Nicaragua, prior to carrying out the work. It also found that it was not established that Costa Rica had violated any obligation to notify or consult pursuant to the treaties invoked by Nicaragua.

The Court went on to consider the alleged breaches of substantive obligations incumbent upon Costa Rica under international environmental law. After examining the relevant evidence, the Court found that Nicaragua had not proved that the construction of the road had caused significant transboundary harm and therefore rejected Nicaragua's claim that Costa Rica had violated its substantive obligations under common international law regarding transboundary harm. The Court also rejected the rest of Nicaragua's submissions concerning Costa Rica's alleged violations of substantive obligations contained in various treaties, Nicaragua having failed to demonstrate that Costa Rica had disregarded the texts in question.

Lastly, the Court considered Nicaragua's claim that the dumping of sediment caused by the construction of the road and the creation of sediment deltas in the river constituted a violation of its territorial integrity and sovereignty over the San Juan river. It found that claim unconvincing, observing that Costa Rica did not exercise any authority on Nicaragua's territory, including the river, and did not carry out any activity thereon. It therefore dismissed Nicaragua's claim in that regard.

With regard to the reparations requested by Nicaragua, the Court concluded that a declaration of wrongful conduct in respect of Costa Rica's violation of the obligation to conduct an environmental impact assessment was an appropriate measure of satisfaction.

As I mentioned in my introduction, during the period under review the Court also delivered six judgments on preliminary questions relating either to jurisdiction or admissibility. On 24 September 2015, it handed down a judgment by which it rejected the preliminary objection to jurisdiction raised by Chile in the case concerning an *Obligation to Negotiate Access to the Pacific Ocean (Bolivia v. Chile)*. Having presented that judgment in the statement that I had the honour to make last year to the Assembly (see A/70/PV.47), I shall not go back over that decision.

I will therefore begin by recalling certain elements of the judgments rendered by the Court on 17 March 2016 in two cases brought by Nicaragua against Colombia, namely, the case concerning the *Question of the Delimitation of the Continental Shelf between Nicaragua and Colombia beyond 200 nautical miles from the Nicaraguan Coast (Nicaragua v. Colombia)* and that concerning *Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)*.

The first of those two cases was introduced in September 2013 regarding a dispute concerning the delimitation of, on the one hand, the continental shelf of Nicaragua extending beyond — according to Nicaragua — the 200-nautical-mile limit from the baselines from which the breadth of the territorial sea of Nicaragua is measured, and on the other hand, the continental shelf of Colombia.

Colombia then raised preliminary objections. The first concerned the Court's jurisdiction *ratione temporis*. Indeed, in its application, Nicaragua sought to found the Court's jurisdiction in article XXXI of the American Treaty on Pacific Settlement, signed on 30 April 1948, also known as the Pact of Bogota. However, having denounced that instrument on 27 November 2012, Colombia maintained the Court had no jurisdiction since the proceedings had been instituted on 16 September 2013.

In its judgment, the Court recalled that the date at which its jurisdiction has to be established is the date on which the application is filed. Under the terms of article XXXI of the Pact of Bogota, the parties recognize as compulsory the jurisdiction of the Court "as long as the ... Treaty remains in force". The first paragraph of article LVI of the Treaty provides that, following denunciation of the Pact by a State party, the Treaty shall remain in force between the denouncing State party and other parties for a period of one year following the notification of denunciation.

The Court noted Nicaragua's application had been filed after Colombia had given notice of denunciation but before the expiration of the one-year period referred to in the first paragraph of article LVI. The only question raised by Colombia's first preliminary objection was whether an *a contrario* interpretation could be applied to the second paragraph of article LVI, which states that

> "The denunciation shall have no effect with respect to ongoing procedures initiated prior to the transmission of the particular notification."

An affirmative response to that question would have allowed the Court to declare that it lacked jurisdiction in respect of the proceedings, even if the proceedings had been instituted while the Treaty was still in force between the parties. After examining the provisions of the Treaty, the Court answered the above question in the negative. It therefore rejected Colombia's first preliminary objection.

The Court also considered two further objections to jurisdiction, both of which were rejected. It found that, contrary to Colombia's assertions, it had not taken a decision on whether or not Nicaragua had an entitlement to a continental shelf beyond 200 nautical miles from its coast in its 2012 judgment between the same parties, and that, consequently, it was not precluded, by the *res judicata* principle, from ruling on the application submitted by Nicaragua in September 2013. The Court also took the view that, Nicaragua was not requesting the Court to revise the 2012 judgment, nor was it framing its application as an appeal against that judgment, as Colombia had argued.

The Court further ruled concerning the request on the admissibility of Nicaragua's requests. Colombia first asserted that Nicaragua's request regarding the delineation of the maritime boundary between Nicaragua and Colombia in the areas of the continental shelf which appertain to each of them, beyond the boundaries determined by the Court in its 2012 judgment, was inadmissible owing to the fact that Nicaragua had not secured the requisite recommendation on the establishment of the outer limits of its continental shelf from the Commission on the Limits of the Continental Shelf.

The Court considered that, since delimitation of the continental shelf beyond 200 nautical miles can be undertaken independently from a recommendation from the Commission on the Limits of the Continental Shelf, that recommendation is not a prerequisite for a State party to the United Nations Convention on the Law of the Sea asking the Court to settle a dispute with another State over such a delimitation. It therefore rejected the objection.

Colombia then argued that Nicaragua's request — whereby it asked the Court to establish the principles and rules of international law determining the rights and duties of the two States in the continental shelf area where their claims overlap, pending the delimitation of the maritime boundary of the parties beyond 200 nautical miles from the Nicaraguan coast — concerned a non-existent dispute and was inadmissible. The Court observed that the request did not involve an actual dispute between the parties, nor did it specify what exactly the Court was being asked to decide. It therefore upheld Colombia's objection.

The proceedings on the merits have therefore been resumed, and the Court, by an order of 28 April 2016, fixed the dates for the filing of a memorial by Nicaragua and a counter-memorial by Colombia on the questions raised by the first request put forward by Nicaragua in its application.

As I have said, the Court delivered a second judgment on 17 March 2016 — the same day — in the case concerning *Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea (Nicaragua v. Colombia)*. In that case, Nicaragua's application was filed on 26 November 2013 relating to

> "a dispute concern[ing] the violations of Nicaragua's sovereign rights and maritime zones declared by the Court's judgment of 19 November 2012 [in the case concerning the *Territorial and Maritime Dispute (Nicaragua v. Colombia)*] and the threat of the use of force by Colombia in order to implement these violations".

Colombia raised preliminary objections, the first which is that raised in the case I just described, related to the Court's jurisdiction *ratione temporis*. The objection was rejected for the same reason that I set out earlier.

In its second objection, Colombia argued that the Court did not have jurisdiction, because there was no dispute between the parties on the date that the application was filed. The Court recalled in that connection that Nicaragua was formulating two distinct claims, one, that Colombia had violated Nicaragua's sovereign rights and its maritime zones, and the other, that Colombia had breached its obligation not to use or threaten to use force.

After examining the evidence submitted to it, the Court found that at the time of the filing of the application, there did indeed exist a dispute concerning the alleged violations by Colombia of Nicaragua's rights in the maritime zones, which, according to Nicaragua,

the Court declared in its 2012 judgment to appertain to Nicaragua. The Court thus rejected the objection raised by Colombia regarding the absence of a dispute in respect of that claim. By contrast, the Court considered that on the date of the filing of the application there was no dispute concerning Nicaragua's second claim, and it therefore upheld the objection raised by Colombia in that regard.

In its third objection, Colombia contended that the Court lacked competence under the Pact of Bogota, because at the time of the filing of the application, the parties were not of the opinion that the purported dispute could not be settled by direct negotiations through the usual diplomatic channels. However, having examined the evidence, the Court concluded that at the date of Nicaragua's filing of the application, neither party could plausibly maintain that the dispute between them could be settled by direct negotiations. Colombia's third preliminary objection was thus rejected, as was its fifth, according to which the Court had no jurisdiction with regard to compliance with a prior judgment. The Court observed that the objection rested in the premise that the Court was being asked to enforce its 2012 judgment. However, it noted Nicaragua does not seek to enforce the 2012 judgment as such.

Finally, the Court did not have to rule upon the fourth objection, which concerned another basis for competence invoked by Nicaragua as an alternative ground, the examination of which was unnecessary. So the proceedings on the merits have been resumed in respect of the first claim put forward by Nicaragua in its applications, and the Court, by an order of 17 March 2016, fixed the time limit for the filing of a counter-memorial by Colombia.

(*spoke in English*)

I shall now briefly present the three judgments rendered by the Court on 5 October in the cases of *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. India, Marshall Islands v. Pakistan* and *Marshall Islands v. United Kingdom)*. I will do so in the other official language of the Court.

I would recall that on 24 April 2014, the Marshall Islands filed in the Registry of the Court applications instituting proceedings against India, Pakistan and the United Kingdom, alleging the failure of those States to fulfil their obligations concerning negotiations relating to the cessation of the nuclear arms race and to nuclear disarmament. The respondents subsequently raised preliminary objections to the jurisdiction of the Court and to the admissibility of the applications, arguing, in particular, that the Court lacked jurisdiction on the grounds that there was no dispute between the parties at the time that the applications were filed. In its judgments the Court began by examining that objection.

The Court observed that the existence of a dispute between the parties was a condition of its jurisdiction. In order for a dispute to exist, it must be shown that the claim of one party is positively opposed by the other; the two sides must hold clearly opposite views concerning the question of the performance or non-performance of certain international obligations. In order to demonstrate that, the evidence must show that the respondent was aware, or could not have been unaware, that its views were positively opposed by the applicant. Those conditions must in principle be met on the date of the filing of the application; although the parties' conduct during the proceedings may be relevant for various purposes — notably in clarifying the subject matter of the dispute — it is not sufficient to establish the existence of a dispute between them.

In its judgments, the Court considered whether, as the Marshall Islands claimed, statements made by the respondents in multilateral forums before the date of the filing of the applications could lead to the conclusion that there was a dispute between the applicant and each respondent. The Court concluded in the three cases that, on the basis of those statements — whether taken individually or together — it could not be said that the respondents were aware, or could not have been unaware; that the Marshall Islands was making an allegation that they were in breach of their obligations. Those statements were thus insufficient to bring into existence a legal dispute between the parties. It also found that, in that context, the conduct of the respondents did not allow for the conclusion that a dispute existed.

Lastly, I would mention one final aspect of those decisions that is of particular interest. In its judgments, the Court stated that considerable care was required before inferring, from votes cast on resolutions before political organs, such as the General Assembly, conclusions as to the existence or not of a legal dispute on some issue covered by those resolutions. The wording of a resolution and the votes or patterns of voting on resolutions on the same subject matter

may constitute relevant evidence of the existence of a dispute in some circumstances, particularly where statements were made by way of explanation of vote. However, some resolutions contain a large number of different propositions; a State's vote on such resolutions cannot by itself be taken as indicative of the position of that State on each and every proposition within that resolution, let alone of the existence of a legal dispute between that State and another State regarding one of those propositions.

The Court concluded in all three judgments that the objection to jurisdiction raised by the respondents and based on the absence of a dispute between the parties had to be upheld. It therefore found no need to consider the other objections raised by the respondents. Since the Court lacked jurisdiction, it could not proceed to the merits of the cases.

I have, then, described the substance of the judgments rendered by the Court during the past year. Before outlining the new cases brought before it in the course of the same period, I shall briefly discuss the order dated 31 May 2016, whereby the Court decided to arrange for an expert opinion in the case concerning maritime delimitation in the Caribbean Sea and the Pacific Ocean, *Costa Rica v. Nicaragua*.

In that case, the Court was of the view that there were certain factual matters relating to the state of the coast between the point suggested by Costa Rica and the point suggested by Nicaragua in their pleadings as the starting point of their maritime boundary in the Caribbean Sea that could be relevant for the purpose of settling the dispute submitted to the Court. The Court considered that with regard to such matters it would benefit from an expert opinion. Two geomorphology experts have therefore been appointed to conduct two site visits and draw up a report that will be communicated to the Court and the parties before hearings are held in the case. I should point out that this is only the second time that the Court has decided to apply Article 50 of its Statute, according to which it "may, at any time, entrust any individual, body, bureau, commission, or other organization that it may select, with the task of carrying out an enquiry or giving an expert opinion."

While in the past the Court has often considered expert reports or even heard from such experts, in most cases the experts have been presented by the parties themselves, either as members of their delegations or as independent experts. This time, however, the Court's decision to arrange for an expert opinion at its own request has obliged it to ask the General Assembly for an additional budget in order to cover the extra costs. I am sure that it can count on the Assembly's understanding and support in that regard. The Court has deemed the expert opinion in question to be essential to its sound administration of justice, in this instance its sovereign exercise of its responsibilities under the Statute. Although the additional $12,000 is relatively modest, it cannot be absorbed by the Court's current budget, which is 10 per cent lower than the appropriations for the biennium 2014-2015.

I come now to the new cases brought before the Court.

On 6 June, the Republic of Chile instituted proceedings against the Plurinational State of Bolivia with regard to a dispute over the status and use of the waters of the Silala. Chile alleges that the Silala is an international watercourse that flows between the two States but that status has been disputed by Bolivia since 1999, claiming the Silala's waters as exclusively Bolivian. According to the application, the dispute between the two States therefore concerns the nature of the Silala as a watercourse and the resulting rights and obligations of the parties under international law. By an order dated 1 July, the Court fixed 3 July 2017 and 3 July 2018 as the respective time limits for the filing of a memorial by Chile and a counter-memorial by Bolivia.

On 13 June 2016, the Republic of Equatorial Guinea instituted proceedings against France with regard to immunities and criminal proceedings. Equatorial Guinea contends, among other things, that by initiating criminal proceedings against its Second Vice-President in charge of Defence and State Security and by ordering the legal attachment of a building said to house Equatorial Guinea's embassy, France has disregarded immunities accorded under international law and has violated Equatorial Guinea's sovereignty. By an order dated 1 July, the Court fixed 3 January 2017 and 3 July 2017 as the respective time limits for the filing of a memorial by the Republic of Equatorial Guinea and a counter-memorial by the French Republic. On 29 September, Equatorial Guinea filed a request for the indication of provisional measures in the case, contending that the pursuit of criminal proceedings in France against the Vice-President and the property of Equatorial Guinea and France's refusal to respect the building located at 42 avenue Foch in Paris as premises of Equatorial Guinea's diplomatic mission in France

created a real and imminent risk of irreparable prejudice to the rights of Equatorial Guinea. As I mentioned earlier, hearings on the request were held from 17 to 19 October.

Lastly, on 14 June, the Islamic Republic of Iran instituted proceedings against the United States of America with regard to a dispute concerning certain Iranian assets, alleging in particular that the United States has adopted a number of legislative and executive acts that have the practical effect of subjecting the assets and interests of Iran and Iranian entities, including those of the Central Bank of Iran, to enforcement proceedings, in breach of jurisdictional immunities recognized by customary international law and by the provisions of the 1955 Treaty of Amity, Economic Relations, and Consular Rights between Iran and the United States of America, which is binding between the parties. After consulting with the parties, the Court fixed 1 February 2017 and 1 September 2017 as the respective time limits for the filing of a memorial by the Islamic Republic of Iran and a counter-memorial by the United States of America.

That brings to three the number of new cases submitted to the Court during the period under review and to 11 the total number of cases currently on the Court's docket. The diversity and complexity of the cases that the Court has dealt with this year is emblematic of its activities in recent years. As my report shows, the new cases filed earlier this year add to that diversity.

Mr. Braun (Germany), Vice-President, took the Chair.

This year, the Court reached another milestone when it celebrated its seventieth anniversary in April. We held a formal sitting in The Hague for the occasion and were honoured that it was attended by the Secretary-General. On Monday I had the privilege of opening an exhibition entitled "70 Years in the Service of Peace and Justice", organized at United Nations Headquarters for the anniversary and open to visitors to this building.

While we should celebrate the work that the Court has accomplished over the past 70 years, we have not lost sight of the importance of continually reflecting on the need to adapt the Court's working methods in order to respond to the increase in its workload and the complexity of the cases submitted to it. I would like to assure the Assembly that the Court will continue to use all the resources at its disposal to fulfil its role as the principal judicial organ of the United Nations.

(*spoke in French*)

I would like to thank the Assembly once again for giving me the opportunity to address it today, and I wish the Assembly every success in its seventy-first session.

The Acting President: I thank the President of the International Court of Justice.

Mr. Khoshroo (Islamic Republic of Iran): I have the honour to deliver this statement on behalf of the Non-Aligned Movement.

The Non-Aligned Movement attaches great importance to agenda item 70, "Report of the International Court of Justice", and takes note of the Court's report contained in document A/71/4 regarding the activities of the Court between 1 August 2015 and 31 July 2016, as requested by the decision of the General Assembly last year.

I would also like to thank the President of the International Court of Justice for his presentation of the report to the Assembly.

The Non-Aligned Movement reaffirms and underscores its principled position concerning the peaceful settlement of disputes and the non-use or threat of use of force. The International Court of Justice plays a significant role in promoting and encouraging the settlement of international disputes by peaceful means, as called for in the Charter of the United Nations, and it does so in such a manner that international peace and security and justice are not endangered.

The Non-Aligned Movement endeavours to generate further progress to achieve full respect for international law and, in that connection, commends the role of the International Court of Justice in promoting the peaceful settlement of international disputes in accordance with the relevant provisions of the Charter of the United Nations — particularly Articles 33 and 94 — and the Statute of the Court.

With regard to advisory opinions of the Court, given that the Security Council has not sought any advisory opinion from the Court since 1970, NAM urges the Security Council to make greater use of the International Court of Justice, the principal judicial organ of the United Nations, as a source of advisory opinions on and interpretations of the relevant norms of international law and controversial issues. It further requests the Council to use the Court as a source for

interpreting relevant international law and also urges the Council to consider having its decisions be reviewed by the Court, bearing in mind the need to ensure their adherence to the Charter of the United Nations and international law.

The Non-Aligned Movement also invites the General Assembly, other organs of the United Nations and the specialized agencies to request advisory opinions of the International Court of Justice on legal questions arising within the scope of their activities.

The Non-Aligned Movement reaffirms the importance of the unanimous opinion issued by the International Court of Justice on 8 July 1996 on the *Legality of the threat or use of nuclear weapons*. In that case, the Court concluded that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

The Non-Aligned Movement continues to call on Israel, the occupying Power, to fully respect the International Court of Justice's advisory opinion on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, dated 9 July 2004. It calls upon all States to respect and ensure the respect of the provisions therein for the realization of the end of the Israeli occupation, which began in 1967, and for the independence of the State of Palestine with East Jerusalem as its capital.

Mr. Joyini (South Africa): My delegation has the honour to speak on behalf of the Group of African States.

The African Group associates itself with the statement just delivered by the representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

At the outset, the African Group would like to thank the President of the International Court of Justice, Judge Ronny Abraham, for his presentation and also for the report on the Court's activities contained in document A/71/4. The African Group continues to consider the International Court of Justice to be the pre-eminent mechanism for the peaceful settlement of disputes at the international level.

It should be kept in mind that the Court, as a court of justice and the principal judicial organ of the United Nations, occupies a special position. Everything that the Court does is aimed at promoting the rule of law. The World Court hands down judgments and provides advisory opinions in accordance with its Statute, which is an integral part of the Charter of the United Nations, and thus contributes to promoting and clarifying international law.

The African Group welcomes the reaffirmed confidence that States have shown in the Court's ability to resolve their disputes. In particular, we are pleased to see that States continue to refer disputes to the International Court of Justice. We commend States for no longer limiting their referral of cases to matters of little political significance, as we now see the Court deciding disputes involving weighty political issues. The number of cases currently pending on the International Court of Justice's docket is a reflection of the esteem in which States hold the Court.

Notwithstanding the proliferation of international judicial dispute-settlement mechanisms on both a specialized and a regional basis, the International Court of Justice continues to attract a wide range of cases, covering many areas. While the Court's determination of whether there exists an obligation to cooperate in a particular case is based principally on treaty obligations, the Court also clearly draws upon general principles, particularly in making the link between procedural and substantive obligations.

The Court draws significantly on the principle of prevention, enunciated in its earlier decisions — notably the *Corfu Channel* case and in the advisory opinion on the threat or use of nuclear weapons. Therefore the African Group reaffirms the importance of the Court's unanimous advisory opinion issued on 8 July 1996 on the *Legality of the threat or use of nuclear weapons*. In that decision, the Court concluded that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. The Group of African States attaches great importance to that matter because Africa is a nuclear-weapon-free zone. In that regard, it is interesting to note that the current list of cases before the Court includes cases on the obligation to enter into negotiations relating to the cessation of the nuclear arms race and to nuclear disarmament.

For example, by an order dated 19 June 2015, the International Court of Justice fixed a time limit for the filing by the Republic of the Marshall Islands of a recent statement of its observations and submissions

on the preliminary objections raised by the United Kingdom of Great Britain and Northern Ireland in the case. The Marshall Islands invoked breaches of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) by the United Kingdom. Article VI of the NPT provides that each of the parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effect international control. The Marshall Islands contended that the United Kingdom has breached and continues to breach its legal duty to fulfilling, in good faith, its obligations under the NPT and customary international law.

According to the Marshall Islands, the conduct of the respondent and its assertions of the legality of its behaviour, juxtaposed with the statements of the Marshall Islands containing a complaint aimed precisely at that conduct and the legal position of the United Kingdom, demonstrate the existence of a dispute as to the scope of and compliance with its obligations under article VI of the NPT and the corresponding customary international law obligations.

The Court recalls that the question whether there is a dispute in a particular contentious issue turns on the evidence of the opposition of views. In that regard, the conduct of a respondent can contribute to a finding by the Court that the views of the parties are in opposition. However, as the Court has previously concluded, in the present case, none of the statements that were made in a multilateral context by the Marshall Islands offered any particulars regarding the United Kingdom's conduct. On the basis of such statements, it cannot be said the United Kingdom was aware, or could not have been unaware, that the Marshall Islands was making an allegation that the United Kingdom was in breach of its obligations. In that context, the conduct of the United Kingdom does not provide a basis for finding a dispute between the two States before the Court.

The Court therefore concludes that the first preliminary objection made by the United Kingdom must be upheld. It follows that the Court does not have jurisdiction under Article 36, paragraph 2, of its Statute. Consequently, it is not necessary for the Court to deal with the other objections raised by the United Kingdom. For those reasons, the Court, by eight votes to eight, with the President casting a vote, upholds the first preliminary objection to jurisdiction raised by the United Kingdom of Great Britain and Northern Ireland, based on the absence of a dispute between the parties. By nine votes to seven, the Court finds that it cannot proceed to the merits of the case.

The importance of advisory opinions on legal questions referred to the International Court of Justice cannot be overstated in the pursuit of the peaceful settlement of disputes in accordance with the Charter of the United Nations. It is therefore rather disappointing that during the period under review, no requests for advisory opinions were made.

Mr. Misztal (Poland): On behalf of the Visegrád Group, consisting of the Czech Republic, Hungary, Slovakia and my own country, Poland, I would like to thank the President of the International Court of Justice, Judge Ronny Abraham, for presenting the Court's report for the 1 August 2015 to 31 July 2016 period (A/71/4). I have the honour to present our Group's common position with respect to the International Court of Justice's report.

The Visegrád Group supports the International Court of Justice as the principal judicial organ of the United Nations. We commend the Court for its role in the peaceful settlement of international disputes and for its contribution, by those means, to the maintenance of international peace and security. The Court has a unique role in the interpretation and application of public international law. The Visegrád Group acknowledges with appreciation that, by identifying the norms of customary international law, the Court significantly contributes to the increased effectiveness of international law.

The Court is universal in its character, as all Member States can be parties to cases before it. Furthermore, the universality of the Court lies in its jurisdiction, which covers the whole field of international law. The Court decides on cases concerning, among other things, territorial and maritime disputes, environmental damage and the conservation of living resources, the prosecution or extradition of former Heads of State, sovereign immunity and the use of force. In that context, we commend the broadening of the fields of public international law that are touched upon by the Court in its decisions.

The cases brought before the Court — although the decisions are binding only on the parties to the dispute — are of great importance for the international community as a whole. Every new judgment of the

Court marks another step towards the strengthening of the international legal order and the promotion of the rule of law and friendly relations among States. We also highly value the Court's contribution to the strengthening of the rule of law in international relations through its advisory opinions.

The mission of the Court cannot be entirely fulfilled without the full commitment of all Member States to comply with their obligations concerning the peaceful settlement of disputes. Respect for and compliance with the Court's decisions, both judgments and orders, are the fundamental prerequisite for the effectiveness of the system of international justice. The obligation of the parties to a dispute to implement in good faith the Court's decisions is crucial to the concept of the peaceful settlement of international disputes.

With regard to the issue of jurisdiction of the Court, it is worth recalling that it can be conferred on the Court not only by way of a unilateral declaration by States but also through special agreements and treaties. Since the exercise of the Court's jurisdiction is based on the consent of States, it is important that States use those ways to accept the Court's jurisdiction. A case in point is the International Agreement on Olive Oil and Table Olives, adopted in Geneva on 9 October 2015, article 26 of which provides for the right of recourse to the Court by a member of the International Olive Council's decision-making body.

As this is the first time that the Visegrád Group has spoken with one voice during the consideration of the International Court of Justice's report in the General Assembly, I would like to ensure the Assembly of our Group's support for the Court and to express our best wishes to the Court in the accomplishment of its lofty mission in rendering justice and strengthening the role of international law in the world.

Mr. Dolphin (New Zealand): I have the honour to speak today on behalf of the group of countries consisting of Australia, Canada and my own country, New Zealand.

Our group would like to thank the President of the International Court of Justice, Mr. Ronny Abraham, for his report on the work of the Court over the past year. As countries that firmly believe in the rule of law and the importance of a rules-based international system, our group continues to be a long-standing supporter of the International Court of Justice.

The group recognizes the crucial role that the Court plays as the principal judicial organ of the United Nations. Our confidence in the Court is reflected in our acceptance of the Court's compulsory jurisdiction. We firmly believe that wider acceptance of the compulsory jurisdiction of the Court would enable it to fulfil its role more effectively and to further encourage the peaceful settlement of disputes. We therefore encourage Member States that have not yet done so to accept the Court's compulsory jurisdiction.

The use of the Court as an organ for the peaceful settlement of disputes should not be understated. However, our group considers that the role of the Court as a tool in conflict prevention also needs to be further recognized and explored. For example, there may be situations where there is a legal element at the heart of escalating tensions between States. Guidance from the Court might play a part in preventing those tensions from evolving into conflict.

We are aware that the Court's caseload continues to be demanding. While the Court has dealt with a number of complex cases in the past year, it maintains one of its largest workloads for the year ahead. The willingness of States to turn to the Court must be welcomed, as it further highlights the important role that the Court plays in the promotion of the rule of law and the peaceful settlement of disputes.

The year 2016 also marks the seventieth anniversary of the Court's inaugural sitting. We congratulate the Court on its significant anniversary. The Canada-Australia-New Zealand group of countries considers that the Court remains as relevant today as it has ever been. As the number of international rules governing Member States' interactions with one another increases, it is even more important for Member States to have recourse to the Court as an effective protection to uphold the rule of law. Its role in providing transparent and impartial clarification on questions of international law for all Member States continues to be essential.

We look forward to continuing to support the Court in its contribution to the peaceful settlement of disputes.

Mr. Hamsa (Malaysia): At the outset, I would like to express my delegation's appreciation to Mr. Ronny Abraham, President of the International Court of Justice, for his presentation of the Court's comprehensive report on its judicial activities over the past year (A/71/4). We join others in expressing our

heartfelt congratulations to the Court in conjunction with the seventieth anniversary of its inaugural sitting.

As the principle judicial organ of the United Nations in adjudicating the peaceful resolution of disputes between States and in providing advisory opinions on questions of international law, the Court plays an important role in the maintenance of international peace and security through its upholding of the rule of law. Since the Court's creation, we have witnessed a steady increase in the number of cases referred to it, which show a varied geographical distribution and cover a wide range of subjects. Those developments are further testament to the faith and confidence that the international community has in the Court's ability to fairly and impartially discharge its adjudicative functions.

My delegation wishes to reiterate that, as a peace-loving nation, Malaysia's foreign policy is premised on the principle of the peaceful settlement of disputes and the concept of moderation. Such an approach advocates mediation, arbitration, dialogue and negotiation. When dialogue or a negotiated settlement fails, the International Court of Justice provides the avenue for Member States to peacefully resolve their differences. It was due to that shared commitment to the peaceful resolution of disputes and our full confidence in the International Court of Justice that Malaysia and its immediate neighbours agreed to submit themselves to the jurisdiction of the Court in two cases regarding disputes over sovereignty over certain maritime features. Our confidence in the impartiality of the adjudication process is reflected by our fullest acceptance of, adherence to and respect for the decisions of the Court.

Malaysia firmly believes that the existence or possession of nuclear weapons is contrary to international law. For that reason, we supported resolution 49/75 K of 15 December 1994, in which the Assembly requested the Court to render an advisory opinion on the legality of the threat or use of nuclear weapons under international law. On 8 July 1996, the Court recognized for the first time in history that the threat or use of nuclear weapons is generally contrary to the principles and rules of international law. The Court further unanimously declared in its opinion,

> "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control."

On the occasion of the twentieth anniversary of that advisory opinion in 2016, let us all once again declare our collective resolve to achieve a nuclear-weapon-free world for the sake of our generation and succeeding generations. For my delegation's part, we hope for greater support from the General Assembly in due course for the Malaysia-sponsored draft resolution entitled, "Follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons" (A/C.1/71/L.42), which we have had the honour to present annually in the First Committee since that milestone of a legal opinion was rendered by the Court in 1996.

In a related matter, my delegation is closely following the International Court of Justice cases *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament*, which were filed by the Marshall Islands.

The question of Palestine remains a principal issue on the United Nations agenda. I wish to recall the advisory opinion of the International Court of Justice of 9 July 2004 on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, which found Israel's continued occupation of the occupied Palestinian territory and its construction of the apartheid wall illegal under international law. My delegation appeared before the Court to present our arguments during the hearing on that case. However, 12 years after that advisory opinion, we deeply regret the continued refusal of Israel to accept the Court's conclusion. We urge Israel to fulfil its obligation under international law and to make reparation for all damage caused by the construction of the wall in the occupied Palestinian territory, including in and around East Jerusalem.

The Court is indispensable in a multilateral world that is firmly established in a rules-based framework, as enshrined in the Charter of the United Nations. Malaysia reiterates its full support for the Court's work, and we take this opportunity to commend the judges and all members of the Court for their unwavering commitment and sense of duty in upholding the law, with a view to maintaining international peace and security.

Mr. Tiriticco (Italy): I would like to thank the President of the International Court of Justice, Judge

Ronny Abraham, for his address today to the Assembly, which appropriately and effectively emphasized a number of important points.

In the light of the principles enshrined in its Constitution, and in view of the constitutive treaties of the European Union, Italy considers that the option of judicial scrutiny of State activities is an indispensable element of any system that is based on the rule of law. At the international level, the peaceful settlement of disputes is an obligation for States. Clearly set out in the Charter of the United Nations, it is a core value of the international community, which decided to ban the use of force. In that connection, providing judicial settlement through the Court, the principal judicial organ of the United Nations, is key.

Resorting to a judicial mechanism is a solid and serious option for States that believe in an international community based on the rule of law. For that reason, following a pledge made in 2012 at the high-level summit on the rule of law, Italy accepted the compulsory jurisdiction of the Court under Article 36 of the Statute, and we encourage others to do the same. I am therefore pleased to address the General Assembly for the first time since our declaration entered into force. Italy confirms the fundamental contribution that judicial review brings to the stability of the international community, where the rule of law provides the guiding blueprint in terms of both rights and obligations for State membership. As the framework of the international community expands to include new actors and a progressively tightened network of relations, and as international law adjusts to new scenarios, we cannot fail to recognize the increasing call for the primacy of a number of principles that should constitute the pillars of peace in this new mutating world order.

In that respect, we express our belief that the inalienable right to human dignity is one such fundamental principle that is emerging in international law. It draws its force not only by virtue of universality, but also from the recognition given by States, whether constitutionally enshrined or through consolidating domestic jurisprudence. From that perspective, we wish to convey our vision that the international law system should ensure its own effectiveness through a fair and balanced approach among the different principles governing the international community today.

Mr. Bessho (Japan): I would like to begin by thanking Judge Ronny Abraham, President of the International Court of Justice, for his dedication and leadership, as well as for the in-depth and comprehensive report of the work of the Court (A/71/4). I also express my deep appreciation of and support for the achievements of the Court during the reporting period.

This year marks the seventieth anniversary of the Court's inaugural sitting. Japan commends the Court for the important role it has played over the past 70 years in the peaceful settlement of international disputes and the promotion of the rule of law. As the principal judicial organ of the United Nations, the Court has delivered many important judgments and advisory opinions since its creation and has taken on a diverse range of cases that required complex legal examination. The Court is faced with an increasing demand for legal solutions and opinions on complex legal and factual questions. We believe that, thanks to its devoted work and profound legal wisdom, the Court will continue to gain the respect and support of Member States.

The achievements of the Court over the past seven decades clearly demonstrate that its work has strengthened the rule of law. The rule of law and the peaceful settlement of international disputes are a fundamental principle of Japan's foreign policy, based on our conviction that they provide the essential foundation of any society.

Japan shares the view expressed by President Abraham at the seminar held in April in The Hague to celebrate the anniversary of the Court's seventieth session, when he stated that the political and legal environment in which the Court operated had changed considerably over the years since 1945. Japan admires the Court's readiness to face the new challenges that may arise in the coming decade, which was also expressed in his speech.

At the same time, the international community today benefits not only from the Court's wisdom, but also from the remarkable development of various peaceful means of dispute settlements through other organs, such as the International Tribunal for the Law of the Sea and the Permanent Court of Arbitration. The current trend whereby States have judicial options based on the specific legal issues involved is a welcome development towards an appropriate division of labour. We hope that the judgments of those organs collectively will further develop and clarify international law.

Let me conclude by reaffirming our support for the work of the International Court of Justice. We have

confidence in its professionalism and its dedication to strengthening international law and the rule of law going forward.

Ms. Orosan (Romania): On behalf of my delegation, let me first express our thanks to the President of the International Court of Justice for his presentation of the annual report (A/71/4), which gives us a clear picture of the latest developments with regard to the cases on the Court's docket.

The year 2016 has been an anniversary year for the Court, as the celebration of 70 years from its inaugural sitting took place earlier this year. We applaud this historic moment for the Court and congratulate the President, as well as the other members of the Court, on the various activities that were organized on that occasion. We firmly believe that the rationale of the Court — to promote the rule of law where diplomatic or political actions have failed to work — is as valid now as it was at the time of its establishment. The strongest argument is the current activity of the Court. The broad geographical distribution of cases, the wide variety of subject matter dealt with and the increasing number of States that have decided to place their confidence in the Court bear testimony to the fact that the Court has a role to play in today's world.

Promoting and reinforcing the rule of law, especially at a time when new challenges to the rule of law at the international level are witnessed, is of great importance. From this perspective, we regret that the Court's budget has been reduced by comparison with previous years. We hope that the financial situation of the Court will improve in the next period and that the efficiency measures already undertaken by the Court will have a positive impact.

Romania is committed to the settlement of all disputes by peaceful means and is a strong supporter of the Court as guarantor of the supremacy of law. The acceptance by Romania in 2015 of the compulsory jurisdiction of the Court confirms the full trust that Romania places in the Court and its efforts to consolidate the rule of law at the international level, as well as the resolve of my country to solve any dispute exclusively by peaceful means and in accordance with international law.

I wish to conclude by reiterating our conviction that in its future activity the Court will continue to uphold its standards of high professionalism and impartiality, and by expressing our hope that new States will accept the compulsory jurisdiction of the Court.

Mr. Troncoso (Chile) (*spoke in Spanish*): At the outset, my delegation would like to state that we have followed with special attention and interest the work of the International Court of Justice in the period covered in its report (A/71/4), presented by its President, Mr. Ronny Abraham.

The report indicates that during that period the Court carried out intense work. As noted in the report, the issues brought before the Court are varied in nature and include such topics as the immunities of States and State authorities, the law of the sea, the determination and delimitation of maritime zones, international waterways, current international legal disputes, the exercise of powers and rights in maritime areas, measures taken on property belonging to foreign States, sources of international obligations and their validity over time, reparations, and the interpretation and application of international treaties, among others.

According to the provisions of its Statute, the Court exercises jurisdiction in respect to the cases submitted to it, in terms expressly recognized by the States and in the framework of the principle of jurisdiction of a voluntary nature. In exercising that jurisdiction, the Court must apply international law as stipulated in Article 38 of the Statute, which accords to treaties, among the sources of international law, the same status as the expression of the will of States, constituting a basic pillar in the structure of international relations.

As we have remarked on many occasions, among the central principles that guide the foreign policy of Chile is the principle of the peaceful settlement of international disputes. Along with that, another central principle of Chile's external actions is the essential role of respect for international treaties, which are an expression of the consent governed by international law. Their strict observance and stability over time constitute prerequisites for the existence of peaceful relations between nations.

My country is currently a party in two cases which have been brought before the International Court of Justice and which require particular attention. We are participating in these cases reaffirm our commitment to international law and peaceful relations between States. Chile has is fully confident in the application of international law in relations with other States. This commitment requires everyone to respect the

fundamental principles of coexistence and to refrain from engaging in conduct that impedes the normal development of these relations and undermines them to everyone's detriment. This conduct is particularly relevant in situations in which a specific case under consideration by the International Court of Justice.

Moreover, it should be recalled that, once a matter is referred to the Court, the Court is the only body competent to consider it. Therefore, it is unacceptable that a matter which is already under consideration by the Court should simultaneously be taken up in other bodies or forums of a political nature.

Consistent with the role and competence of the Court and the diverse range of its mission, my delegation takes this opportunity to express its full support for the Court's requirements in terms of providing the necessary budgetary resources so that it can efficiently discharge the lofty responsibilities that have been vested in it. That is especially necessary at times when its jurisdictional activities are intense and it needs specialized staff and investment in technology. We also support the Court's approach, as outlined in its President's report to the Assembly, with regard to the dialogue that should exist between the Court and the Assembly. That dialogue is indispensable for the Assembly to be able to adopt the most appropriate decisions on the budget of the principal judicial organ of the United Nations.

Mr. Sharma (India): At the outset, I would like to thank Judge Ronny Abraham, President of the International Court of Justice, for his comprehensive report on the judicial activities of the Court for the period from August 2015 to July 2016. I also thank him and Vice-President Judge Abdulqawi Ahmed Yusuf for guiding the work of the Court.

The Court, the principal judicial organ of the United Nations, celebrated its seventieth anniversary on 20 April at The Hague. As we all know and as most of us witnessed, on Monday, 24 October, the Secretary-General and the President of the Court inaugurated the United Nations exhibition organized by the International Court of Justice, entitled "70 years in Service of Peace and Justice."

The Court is entrusted with the task of the peaceful resolution of disputes between States, which is fundamental for the fulfilment of one of the purposes of the United Nations, namely, the maintenance of international peace and security. Since its first session in April 1946, the Court has been seized of more than 160 cases. It has delivered over 120 judgements and 27 advisory opinions. We acknowledge that the Court has fulfilled most admirably the task of settling disputes between States peacefully, and it has acquired the well-deserved reputation of being an institution that maintains the highest legal standards, in accordance with its mandate under the Charter of the United Nations and in accordance with its own Statute, which is an integral part of the Charter.

One of the primary goals of the United Nations, as stated in the Preamble to the Charter, is to establish conditions under which justice and respect for international obligations can be maintained. The International Court of Justice, as the only court with general international law jurisdiction, is uniquely placed to help achieve that goal.

The report of the Court illustrates the importance that States attach to the Court and the confidence that they place in it. The importance of the Court is evident from the number, nature and variety of cases it deals with and, in so doing, its ability to deal with the complex aspects of public international law. Furthermore, the universality of the Court is evident from the fact that States from all continents have submitted cases to it for adjudication.

The judgments delivered by the Court have played an important role in the interpretation and clarification of the rules of international law, as well as in the progressive development and codification of international law. In the performance of its judicial functions, the Court has remained highly sensitive to the political realities and sentiments of States, while acting in accordance with the provisions of the Charter, its own Statute and other applicable rules of international law.

During the judicial year 2015-2016, the Court delivered a judgment in two cases between Nicaragua and Costa Rica, on 16 December 2015. That was a rare instance of the Court's joining two disputes submitted by neighbouring States against each other. They are cases involving complex factual and legal issues concerning navigational rights, territorial sovereignty and environmental impact assessment, among others. The number of contentious cases on the Court's docket stands at 14, three of which were disposed of by the Court on 5 October. During the past judicial year, the Court handed down 11 orders and held public hearings

in five cases, including a case brought against my own country, India.

The cases before the Court involve a variety of subject matters, such as territorial and maritime disputes, unlawful use of force, interference in the domestic affairs of States, violation of territorial integrity, international humanitarian law and human rights, genocide, environmental damage and conservation of living resources, immunities of States and their representatives, and interpretation and application of international conventions and treaties. Moreover, the cases entrusted to the Court are growing in factual and legal complexity.

The Court's second function is to provide advisory opinions on legal questions referred to it by the organs of the United Nations and specialized agencies. Although no request for an advisory opinion was made during the past judicial year, that function of the Court adds to its important role of clarifying key international legal issues. The report of the Court rightly points out that "everything the Court does is aimed at promoting and reinforcing the rule of law" (*A/71/4, para. 21*), in particular through its judgments and advisory opinions.

Before concluding my statement, I would like to make a few preliminary remarks on the three cases disposed of by the Court on 5 October. These were public-interest litigation cases. We appreciate the Court's finding that no legal dispute existed between the parties at the time of submission of the application by the litigant State. However, despite some apprehensions over the possibility of relitigation, India feels that the cases were dismissed on substance and not merely on procedural lacunae. Apart from the awareness test, the Court made an objective determination on the examination of facts of the case and demonstrated that there were no opposing views and, therefore, no dispute between the parties. Furthermore, we note that it was one of the rare occasions of a contentious case in which the President of the Court exercised his casting vote.

As to the publications and availability of information concerning the Court and its activities, we appreciate the Court's efforts to ensure the greatest possible global awareness of its decisions through its publications, multimedia offerings and website, which now features the Court's entire jurisprudence, as well as that of its predecessor, the Permanent Court of International Justice. Those sources provide useful information for States wishing to submit a potential dispute to the Court.

We are happy to note that the issue of the presence of asbestos in the Peace Palace has been, by and large, resolved. We share the concern of the President of the Court with regard to budget cuts and the fact that the communication and concerns raised by the Court remain unresolved and unanswered to date. We hope that those concerns will be addressed.

Finally, India wishes to reaffirm its strong support for the Court and to acknowledge the importance that the international community attaches to the work of the Court.

Mr. Mohamed (Sudan) (*spoke in Arabic*): We align ourselves with the statements delivered earlier at this meeting by the representative of South Africa on behalf of the Group of African States and by the representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

We have taken note of the report of the Secretary-General on the work of the International Court of Justice (A/71/339). I would like to thank the President of the Court for having presented his report on the Court's judicial activity from 1 August 2015 to 31 July 2016 (A/71/4). My delegation greatly appreciates the work undertaken by the Court, as the principal judicial organ of the United Nations, namely, its delivery of judgments and advisory opinions and the contribution it makes to the peaceful settlement of disputes. That essential work requires greater political support from Member States. In addition, the Court requires the necessary budgetary funding to ensure that its activity is not constrained.

The submission of the annual report is an opportunity for the General Assembly to confirm the Court's role and jurisdiction. The number of cases that Member States bring before the Court demonstrates the importance that they attach to the Court and its capacity to resolve disputes in an impartial and fair manner. On behalf of the Sudan, we urge the Court to continue the work being carried out to strengthen its ability to assume its increased responsibilities and workload so that it can swiftly and effectively resolve the cases before it. We call for the necessary resources to be made available to it.

My delegation also calls on States that have not yet done so to quickly ratify the Statute of the Court with a view to strengthening the rule of law at the

international level and to ensuring that the Court is able to discharge its responsibilities under the Statute with regard to the peaceful settlement of disputes. The Sudan has recognized the Court's jurisdiction. We invite the Security Council, which has not requested an advisory opinion from the Court since 1970, to make greater use of this body, which is the principal judicial organ of the United Nations and the source of the main advisory opinions with regard to the interpretation of the principles of international law related to the Organization's work. We also invite the Assembly, as a principal organ of the United Nations, to continuously request advisory opinions with regard to the interpretation of the principles of international law related to its functions.

We greatly appreciate the role played by the Court, and we express our full support to the Court so that it can carry out its responsibilities mandated under its Statute.

Ms. Biden Owens (United States of America): We thank President Abraham for his thorough report today. President Abraham's report reminds us that international justice is alive and well. We welcome the fact that States are increasingly resorting to the International Court of Justice and to other international judicial bodies to resolve their bilateral disputes where both parties to that dispute have accepted the body's jurisdiction. Rather than seeing what some often decry as a fragmentation of international dispute resolution mechanisms, we see a healthy array, or, as one judge of the International Court of Justice has called it, "a kaleidoscope of complementary judicial venues", so that States may choose which forum best suits their needs.

Resort to an appropriate dispute resolution mechanism is a means to pursue the peaceful resolution of disputes and an embrace of Article 33 of the Charter of the United Nations, which, as we will recall, provides that:

> "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

The drafters of the Charter had the wisdom to make the International Court of Justice one of the principal organs of the United Nations, putting the peaceful resolution of disputes at the heart of the United Nations.

In April, we welcomed the opportunity to celebrate the seventieth anniversary of the Court's inaugural setting at the Peace Palace. It gave us and others a unique opportunity to reflect on the important role the Court has played over the past 70 years. We echo President Abraham's message that the need for a world court working for international peace and justice is as strong today as it was when the Charter was first signed, and we applaud the Court for its readiness to take on the many new and difficult challenges brought before it.

The United States is grateful to President Abraham and his fellow judges and to all the staff of the International Court of Justice for the hard work they do to foster international justice.

Mr. Reinisch (Austria): The delegation of Austria wishes to express its thanks to the President of the International Court of Justice, Mr. Ronny Abraham, for the comprehensive report on the work of the Court (A/71/4). Austria also wants to take this opportunity to congratulate the Court on its seventieth anniversary, celebrated on 20 April in The Hague.

The report impressively demonstrates the growing caseload of the Court over the past two decades. The Court currently deals with a variety of disputes ranging from core issues of sovereignty — like territorial or maritime disputes, the use of force and non-intervention, and the immunity of States and their representatives — to disputes relating to genocide and to the protection of the environment, as well as to treaty application and interpretation. That development aptly shows the increasing general acceptance of the Court as the central forum for the peaceful settlement of disputes.

In that context, the Austrian delegation wants to emphasize the importance of the possibility of accepting the compulsory jurisdiction of the Court under Article 36, paragraph 2, of the Court's Statute. As of now, only 72 of the 193 States Members of the United Nations have made a declaration recognizing the Court's jurisdiction in that way. Austria did so in 1971, a commitment automatically renewed ever since. Unfortunately, however, many States still do not accept the compulsory jurisdiction of the Court. Austria calls upon those States to reassess their positions and to seriously consider accepting its jurisdiction.

Beyond solving specific disputes, the Court greatly contributes to the strengthening and clarification of international law. As the principal judicial organ of the United Nations, the International Court of Justice is nowadays at the centre of a system of international courts and tribunals and other dispute settlement bodies. In that context, the issue of fragmentation of international law and international jurisprudence has been raised, including in the International Law Commission. To avoid such fragmentation and possible discrepancies in the interpretation of international law, it is essential that international courts and tribunals take each other's decisions into account and that the judges of those courts and tribunals establish direct contacts. Therefore, we welcome the judicial dialogue which is currently being developed between those international courts and tribunals, and we support its further enhancement. To that end, it would be particularly useful if the presentation of the work of the International Criminal Court took place on the same day as this debate.

As the principal judicial organ of the United Nations, the Court upholds and promotes the rule of law. Austria is strongly committed to strengthening the rule of law and believes that a rules-based international system, with clear and predictable rules, is an essential precondition for lasting peace, security, economic development and social progress. We call upon all Member States to actively promote an international order based on the rule of law and international law, with the United Nations at its core. Building on the final report and recommendations from the Austrian Initiative, 2004-2008, regarding the United Nations Security Council and the rule of law, presented in 2008, my delegation has been continuously working to foster the rule of law in all United Nations organs and in the international community at large and is proud to serve as the coordinator of the Group of Friends of the Rule of Law.

As regards judicial activities during the reporting period, the Austrian delegation has noted that the Court dealt with a number of very important issues that also relate to the topics discussed over the past few days in the Sixth Committee in connection with the work of the International Law Commission. The Court is currently dealing with the immunities of State officials in criminal proceedings and with a number of disputes involving environmental concerns. Among the latter, the judgment of the Court, rendered on 16 December 2015 in the joined cases between Costa Rica and Nicaragua, is particularly noteworthy. In that judgment, the Court, basing itself on the judgment in *Pulp Mills on the River Uruguay (Argentina v. Uruguay)*, reaffirmed an obligation under general international law to carry out an environmental impact assessment concerning activities that risk causing significant transboundary harm.

Austria also wants to draw attention to the special importance of the non-proliferation of nuclear weapons and nuclear disarmament, which has recently been considered again by the Court. In the past, the Court made important contributions to this field with its advisory opinion on *Legality of the Threat or Use of Nuclear Weapons*. Recently, however, the applications filed by the Marshall Islands against India, Pakistan and the United Kingdom were dismissed on jurisdictional grounds, by a narrow vote. The great interest that those cases attracted within the international community, together with the deliberations currently ongoing in the Assembly's Disarmament and International Security Committee (First Committee), demonstrates the crucial importance of that topic for many States. Austria, as a non-nuclear country, takes this opportunity to restate its commitment to, and the importance of, the non-proliferation and disarmament processes and expresses its hope that those processes will yield concrete results in the near future.

Ms. Galvão Teles (Portugal) (*spoke in French*): At the outset, allow me to express my delegation's gratitude to the President of the International Court of Justice, Judge Ronny Abraham, for his detailed annual report on the work of the Court.

On the occasion of its seventieth anniversary, the fundamental role of the Court in the international legal order must be recalled and stressed, as it is the principal judicial organ of the United Nations and, in that capacity, performs one the most important tasks in the international community — the peaceful settlement of disputes among States and the strengthening of the international rule of law.

As the report for the judicial year 2015-2016 (A/71/4) indicates, the Court's workload is constantly increasing. For example, in July 2016 the number of cases pending before the Court stood at 14, and three new contentious cases had recently been submitted to it. During the period in question, the Court delivered

5 judgments and 11 orders and held public hearings in 5 cases.

(*spoke in English*)

We note with satisfaction the growing activity of the Court. More and more States trust the Court with the settlement of their complex and sensitive disputes. It is important to note that the cases before the Court come from all over the world and relate to diverse areas of international law, such as the law of the sea, the use of force, sovereignty, immunities and international humanitarian law, demonstrating not only the universality of the Court, but also the expansion of the scope of its work and its growing specialization. Such universality and growth dramatically strengthen the Court's contribution to the development of international law and should therefore earn for it the full support of all members of the international community.

Although, as the truly universal court in the exercise of general jurisdiction, the International Court of Justice is a leading player in the international judicial arena, it should be recalled that there are other international courts and tribunals whose existence and importance should also be underlined. In that regard, Portugal welcomes the continued contacts and cooperation among international courts and tribunals as a very positive development. It is our strong view that all of them must work together towards the enhancement of the international legal order and must complement one another in the furtherance of this goal.

As at 31 July, 193 States were parties to the Statute of the Court and 72 of them had deposited with the Secretary-General a declaration of acceptance of the Court's compulsory jurisdiction, in accordance with Article 36, paragraph 2, of the Court's Statute. Moreover, more than 300 bilateral or multilateral treaties provide for the Court to have jurisdiction in the settlement of disputes arising out of their application or interpretation. That highlights the role of the Court as the main judicial body in the interpretation and application of international law.

In that context, Portugal, as a State that has accepted the compulsory jurisdiction of the Court since its admission to the United Nations in 1955 and has been a party to proceedings before it, would like to recall the recommendation of the 2005 World Summit that States that have not yet done so, consider accepting the jurisdiction of the Court, in accordance with its Statute. It would also be desirable, in our view, that, in multilateral or bilateral agreements, more consideration should be given to accepting the jurisdiction of the Court, including on an optional basis.

To conclude, we would like to state that, while recognizing that in contemporary international law there is an intrinsic but unavoidable paradox between the obligation of States to settle their disputes in a peaceful manner and the paramount need for sovereign consent to put into practice such settlement mechanisms, it is our firm conviction that the International Court of Justice plays a crucial role in the international legal order and that that role will be increasingly accepted by the entire international community.

Mr. Koch (Germany): The International Court of Justice is the principal judicial organ of the United Nations. It is the only court with its legal basis in the very Charter of the United Nations, and, thanks to the Charter, its membership is truly universal. That gives the Court enormous prestige and weight, which it can use to play its important role in the peaceful settlement of conflicts in accordance with the rules of international law. Germany has always supported the Court, and I would like to take this opportunity to reaffirm our support once again today.

I want to highlight two specific issues of particular importance.

First, the Court can be an effective means for the peaceful settlement of disputes and the furtherance of international law as the defining framework of international relations only if its judgments are implemented. Compliance by the parties to a case with the judgment of the Court, as required by Article 94 of the Charter, is therefore of obvious and paramount importance. Refusal or failure to comply with a judgment not only frustrates the Court's efforts to bring to a conclusion the dispute in question, it also undermines respect for the Court, and therefore its overall efficiency as an instrument for settling disputes, far beyond any single case. It should also be noted that it is for the Court to decide whether the conditions for its jurisdiction are met. Once the Court has decided that it has jurisdiction, the parties should accept its decision. Both of those points, incidentally, apply to other courts, tribunals and arbitral tribunals as well.

Secondly, the Court's jurisdiction, like that of other international tribunals and arbitral tribunals, is based on the consent of the States concerned. That is a well-established principle in international law. Consent may

be granted ad hoc with regard to a specific dispute or it may be declared in advance, in a general way, as provided for in Article 36, paragraph 2, of the Statute of the Court. Germany has made a declaration under Article 36, paragraph 2, and we call upon others to consider a similar step.

The obverse of the aforementioned principle, however, is that there can be no dispute settlement by the Court without the consent of the parties to the dispute. That does not mean that what is essentially a dispute between two States should be turned into an abstract legal question on which the Court is then asked to give an advisory opinion. Such a development would also put the Court in a difficult position. Rather, the advisory opinion procedure is meant for cases where a legal issue as such is of widespread interest to many or all States.

The International Court of Justice is the most prominent instrument for settling disputes on the basis of law. States should cherish it for that reason, and, what is more, they should make proper use of it to settle their disputes more often.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): Peru welcomes the report of the International Court of Justice on its work during the period from 1 August 2015 to 31 July 2016 (A/71/4) and thanks the Court's President, Judge Ronny Abraham, for introducing it.

My delegation would like to begin its statement by underscoring the fundamental role played by the International Court of Justice, the principal judicial organ of the United Nations, in the system of peaceful settlement of disputes established in the Charter of the United Nations. Its work is an essential contribution to the promotion of the rule of law at the international level. We recall that, in addition to that valuable function, in accordance with Article 96 of the Charter, the Court's advisory opinion may be requested by the General Assembly, the Security Council and other organs and specialized agencies of the United Nations system. Those are the two areas of responsibility of the Court. Through its judgments and opinions, it helps to promote and clarify international law as a true pathway to peace. Accordingly, my delegation would like to point out that the Assembly has once again urged States that have not yet done so to consider the possibility of recognizing the Court's jurisdiction, in accordance with Article 36, paragraph 2, of its Statute.

My delegation would like to acknowledge the work carried out by the eminent judges of the Court, in particular the President and Vice-President, and by the ad hoc judges. By the same token, we would like to put on record our gratitude for the considerable work carried out by the Registry of the Court, in particular by the Registrar and the Deputy Registrar. In that context, we call on the Assembly to continue to give careful consideration to the needs of the Court.

The sustained level of activity of the Court is the expression of the prestige enjoyed by that principal judicial organ of the United Nations. That prestige is also reflected in the diverse geographical distribution of the cases brought before it, which reaffirms the universal character of its jurisdiction. It was thanks to the Court that the maritime boundary dispute between Peru and Chile was resolved peacefully and pursuant to international law. The high level of activity of the Court can be partly explained by the numerous measures adopted in recent years to improve its efficiency and to allow it to handle its ever-increasing workload, including the expedited processing of the growing number of incidental proceedings.

Additionally, Peru welcomes the various activities in April in The Hague, particularly the solemn sitting on 20 April held to commemorate the seventieth anniversary of the inaugural sitting of the Court. We note with satisfaction that the photographic exhibition organized for that occasion at the Peace Palace was recently brought to United Nations Headquarters in New York.

We once again thank the host country, the Kingdom of the Netherlands, for its ongoing commitment to and support for the work of the Court. We reiterate our belief that there should be greater cooperation between the Court and the other principal organs of the United Nations, in New York. In that regard, my delegation encourages the good relations between the Court and the Security Council to continue.

I would like to end my statement by expressing our gratitude once again to the Court for its continuous contribution to international peace and justice and to the effective implementation of the principle of pacific settlement of disputes between States.

Ms. Pino Rivero (Cuba) (*spoke in Spanish*): Cuba aligns itself with the statement delivered earlier by the representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

The Republic of Cuba welcomes the presentation of the report of the International Court of Justice (A/71/4). We also wish to express our commitment to the strict application of international law and the peaceful settlement of international disputes.

Cuba recognizes the work of the Court since its inception. Its decisions and advisory opinions have been vital, not only for the cases brought before it, but also for the development of public international law. The volume of cases referred to it, many of them from the Latin American and Caribbean region, show the importance the international community attaches to the peaceful settlement of disputes.

The Republic of Cuba greatly values the peaceful settlement of disputes under Article 33, paragraph 1, of the Charter of the United Nations. It regrets that certain of the Court's rulings have not been implemented, in open violation of Article 94 of the Charter, which establishes that each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party. That situation reflects the need to reform the United Nations system to give developing countries greater guarantees in their dealings with powerful countries.

Cuba believes that it would be useful for the Court to take stock of its relationship with United Nations bodies, particularly the Security Council.

The Court has heard many significant cases. Cuba attaches great importance to the advisory opinion, issued unanimously on 8 July 1996, on *Legality of the Threat or Use of Nuclear Weapons*. In it the Court concluded that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. In that regard, and as has been expressed in this Hall, Cuba urges full compliance with the advisory opinion of 9 July 2004 on *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and calls upon all States to respect and ensure respect for the Court's stipulations in that important matter.

Cuba also attaches great importance to the allocation of the necessary budgetary resources for the Court so that it can adequately carry out its work of peacefully resolving the disputes under its jurisdiction, and urges that the necessary resources be found so that they reach the Court in an appropriate and timely manner.

The Republic of Cuba thanks the Court for the publications it has made available to the Governments parties to the Statute and for its online resources. They are valuable material for the dissemination and study of fundamental public international law, particularly for developing countries, some of which have no access to information regarding advances in international law.

Cuba has been a peace-loving country, respectful of international law. It has always faithfully complied with its international obligations deriving from the treaties to which it is party. Accordingly, Cuba would like to take this opportunity to reiterate its commitment to peace.

The events in recent years are a reliable demonstration of the importance of the International Court of Justice as an organ with international jurisdiction that, peacefully, in good faith and in accordance with international law, settles the disputes of great impact on the international community.

Mr. Argüello (Nicaragua) (*spoke in Spanish*): On more than one occasion, the General Assembly has seen that the adjudication of legal disputes, particularly the referral of cases to the International Court of Justice, should not be regarded as an unfriendly action among Staates. Yet, after 70 years of work by the Court — which we are celebrating this year — only 72 States have recognized the compulsory jurisdiction of the principal judicial organ of this Organization.

From the time that the League of Nations was established, there has been an understanding about the imperative need for an international legal body to promote and contribute to the peaceful settlement of disputes — hence the birth of the Permanent Court of International Justice. The United Nations validated that understanding by establishing the present International Court of Justice.

Over the past seven decades, the Court has been a cornerstone in the development of international law and, to some extent, in the strengthening of friendly relations among States, as it has applied international law to resolve numerous disputes that otherwise might have become threats to international peace. It has also provided important support to the work of the General Assembly through its advisory opinions on topics of vital importance to the Organization, and in doing so has bolstered respect for the rule of law at the international level.

The report before us reflects the trust that Member States have in this principal judicial organ of the United Nations, as is confirmed by the growing number of cases. The heavy workload merits additional resources, not fewer. We should recall that the cases brought before the Court concern, for the most part, sensitive topics or issues with major legal, political or social implications for Member States and their populations, and sometimes for multiple States within a region. And because of the complexity of the issues, complex technical advice is often needed. Therefore, making available adequate human and technical resources enhances the effectiveness and independence of the Court. Its work is unique even though there has been a proliferation of international courts with budgets far greater than that of the International Court of Justice.

For that reason, we find it particularly disturbing that the Court, with the enormous amount of work that it does and given its very sensitive and crucial mission, is to have its budget cut by 10 per cent compared to the last biennium, as indicated in paragraph 33 of the Court's report (A/71/4). It would therefore appear that this institution, which is a fundamental pillar of the United Nations, has been treated like the Cinderella of the house. In past years, the International Law Commission has also suffered a budget cut and the stipend for its members was reduced to $1, and now the budget of the principal organ of international justice is also being reduced. We must not allow that to happen.

In the case of Nicaragua, a small developing country, access to the International Court of Justice has been crucial in safeguarding our national interests. We have had recourse to the Court on several occasions. In 2015 alone, Nicaragua was involved in oral arguments for four different cases, and in two of those cases judgments on the merits were handed down. In the other two, Colombia's preliminary objections to the Court's jurisdiction were rejected. As a State party in different cases, Nicaragua knows at first hand the financial challenges that on occasion obligate the Court to recover the costs of certain proceedings. That causes difficulties for less wealthy countries and for the general working of the institution.

Countries that have been party to international litigation know the enormous costs thereof, but we want our rights to use peaceful settlement mechanisms to be respected, and Nicaragua will spare no expense to that end. International law should be defended at all costs. And the Court does so with low expenditures and excellent administration. In this regard, we recall that there is a trust fund to assist States in settling disputes through the International Court of Justice. This is an important mechanism for facilitating access for developing countries. States are therefore encouraged to consider making contributions to the fund, particularly on the occasion of the seventieth anniversary of the Court.

To conclude, Nicaragua would like to take this opportunity to reaffirm that in all cases it has been involved in we have faithfully complied with our international obligations, and we expect reciprocity from other parties in terms of abiding by the rulings of the International Court of Justice in cases to which they are parties. We would like to recall that "the existence of a dispute shall [not] permit the use of force or threat of force by any of the States parties to the dispute" (*resolution 37/10, annex, sect. I, para. 13*).

Once again, we thank the Court for its report and note that although much remains to be done to ensure respect for justice and international law, the experience acquired during 70 years of the work of this international tribunal has brought us valuable opportunities to achieve peace, a fundamental purpose of the United Nations and an ongoing desire of humankind.

Mr. Bailen (Philippines): We align ourselves with the statement delivered earlier by the representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

The very first purpose of the United Nations is to maintain international peace and security. Article 1, paragraph 1 of the Charter of the United Nations obligates us

> "to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace".

To maintain international peace and security, all Member States are duty-bound to settle their disputes by peaceful means, including through judicial settlement and in conformity with the principles of justice and international law. As the principal judicial organ of the United Nations, the International Court of Justice plays a central role in the peaceful settlement of disputes as the condition sine qua non for maintaining international peace and security.

That point was recognized no less by the Manila Declaration on the Peaceful Settlement of International Disputes, which the General Assembly adopted in 1982 (resolution 37/10, annex). The Manila Declaration is the first comprehensive plan and consolidation of the legal framework for the peaceful settlement of international disputes, building upon the Charter of the United Nations, in particular its Article 33, and general international law. It may be no coincidence that the caseload of the Court doubled in the era ushered in by the Manila Declaration.

Four years ago, the Assembly also affirmed the Court's essential contribution to the rule of law in paragraph 31 of its landmark Declaration on the rule of law at the national and international levels.

This year, the Philippines joins the commemoration of the Court's seventieth anniversary. On this happy occasion, we extend our warm greetings to the entire team at The Hague, led by President Ronny Abraham, whom we also thank for his comprehensive report on the work of the Court in the past year.

In the period under review, the Court was seized of 14 cases, ranging from territorial and maritime disputes and violations of territorial integrity and sovereignty to the unlawful use of force, interference in domestic affairs, international humanitarian and human rights law, to environmental damage and the conservation of living resources. The increasing confidence shown by Member States, especially among developing countries, in the capabilities, credibility and impartiality of the Court to settle disputes by peaceful means, is not unrelated to the norms, values and aspirations articulated by the Manila Declaration, the most fundamental of which is not to use, or threaten to use, force.

The contemporary international legal architecture has strengthened the Court as the only forum for resolving justiciable disputes between States with respect to the vast field of general international law. It is the only international court of a universal character with general jurisdiction, which is why we renew our call for Member States that have not yet done so to accept the compulsory jurisdiction of the Court. It is also why we reiterate our call on the Security Council to more seriously consider Article 96 of the Charter of the United Nations, and make greater use of the Court as a source of advisory opinions and of interpretation of relevant norms of international law, particularly on the most current and controversial issues affecting international peace and security.

Finally, the General Assembly, as a matter of courtesy and due process and in the interest of transparency and fairness in the efficient administration of justice, should always consult with the Court with respect to its budget. The Court should always have the opportunity to make its views and specific needs known in the budget process.

The Philippines believes that only through the rule of law in international relations can we guarantee the respect, order and stability that we the peoples of the United Nations are striving to achieve.

Mr. Alday González (Mexico) (*spoke in Spanish*): Mexico wishes to express its appreciation to the International Court of Justice for the activities it has undertaken this year, and is grateful to its President, Judge Ronny Abraham, for the valuable report he has presented (A/71/4).

We extend our congratulations to the Court on its seventieth anniversary. In its work as the principal judicial organ of the United Nations, the International Court of Justice has handled more than 130 contentious cases. Through its rulings it has helped prevent and put an end to specific disputes and conflicts that have threatened the maintenance of international peace and security.

Today we face the emergence of a broad range of controversies, from climate justice to the new modalities and actors of armed conflicts, which challenge international law and the political organs of the United Nations itself. The effectiveness of the Court is therefore more necessary than ever if peaceful solutions are to be found.

In its Declaration on the rule of law at the national and international levels, in 2012, the General Assembly recognized that the International Court of Justice plays a major role in contributing to and promoting the rule of law at the international level. This goes hand in hand with the implementation of Goal 16 of the 2030 Agenda for Sustainable Development, which specifically seeks to strengthen a genuine rule of law as a prerequisite for accountability, justice and peace.

We welcome the fact that during the reporting period, another State deposited its declaration of acceptance of the compulsory jurisdiction of the Court, making a total of 72 States that have accepted its

jurisdiction. We call on States that have not yet done so to recognize the binding jurisdiction of the Court so that the operative and preventive capacity of this organ can be extended and strengthened.

However, we note with some concern certain actions taken by some States that put restrictions on this organ, by, for example, formulating reservations on the exercise of jurisdiction of the Court, denouncing treaties that establish jurisdictional clauses in favour of the Court, or opposing the inclusion of articles for the peaceful settlement of disputes referred to the Court in the negotiation processes of new international treaties.

We wish to stress that compliance with the judgments of the Court, including those related to the granting of provisional measures, is essential for reducing political tensions among States. If left unaddressed, these issues can escalate into international conflicts.

We are pleased to note that, according to the report, States from all regions of the world have resorted to the Court. The delegation of Mexico would particularly like to highlight that, of the 11 cases pending, 6 involve Latin America and the Caribbean. This has in fact become a trend in recent years and demonstrates the commitment of our region to international law and the principle of the peaceful settlement of disputes set out in Article 33 of the Charter of the United Nations.

The ruling of the Court during the reporting period represents an important contribution to the interpretation of international law, reaffirming the scope of the obligation contained in international environmental law in order to assess the environmental impact of activities that may result in transboundary damages as well as the importance of the precautionary principle in the matter. The ruling also contributes to reaffirming the navigation rights of States.

The Court also had three cases under review in this period which, thanks simply to their presentation, served to highlight the effect of customary obligation of States to negotiate effective measures for the cessation of the nuclear arms race, nuclear disarmament and the adoption of a treaty on general and complete disarmament.

Mexico welcomes the work done to strengthen publicity and transparency of the work of the Court, taking advantage of new technologies. These contribute to the dissemination of international law and also serve as tools for States, academia and society in general.

We reiterate the important fact that, as part of these efforts, we should soon have access to all judgments of the Court in all official languages of the United Nations. Mexico wishes to reiterate the importance of endowing the Court with sufficient funds to fulfil its mandate effectively, especially as there has been a steady increase in the number of cases that are submitted to it.

Finally, we call for the continued modernization of the International Court of Justice so that it may continue to be useful and relevant in the current global context, as it has indeed been for the past 70 years.

Ms. Metelko-Zgombić (Croatia): Croatia thanks the President of the International Court of Justice, Judge Ronny Abraham, for his report on the work of the Court over the past year.

In the reporting period, the Court deliberated on a significant number of cases raised before it by States on a wide array of topics and issues. Croatia continues to follow the work of the International Court of Justice and all its activities with careful and engaged interest.

Croatia remains an unequivocal advocate of the peaceful settlement of disputes between States and the avoidance of conflict, based on the premise of adherence to the rule of international law. In this vein, we recall that the rule of international law and respect for its norms include the requirement to respect treaties in force in good faith, as breaches of treaties, and especially of their essential provisions, prevent the fulfilment of their object and purpose and thereby erode the rule of law and international relations.

The principal judicial organ of the United Nations is pivotal in ensuring that the rule of law on the international level is strengthened and secured. Its role in this regard is essential, as the International Court of Justice serves as a signpost for other international tribunals and third-party settlement mechanisms -- in other words, for international adjudication in general.

International adjudication in general must be developed in accordance with the highest legal and moral standards. The confidence of States that disputes will be decided upon competently, independently and impartially as well as within the realm of international law is of paramount importance for the willingness of States to turn to judicial settlement for the resolution of their disputes and their choice of the legal framework over any other. In that connection, the lack of independence and impartiality in international

adjudication undermines the very pillars of the international judicial architecture, strips it of its hard-fought authority and threatens our perennial efforts to develop and secure it, while at the same time propelling States into unending disputes and diminishing the trust of States in third-party settlement mechanisms.

As jurisprudence within the framework of applicable international law must be stable and predictable, so also must its procedures and the ways of accessing it. Croatia's unwavering commitment to international law and its proper application goes hand in hand with its support for the International Court of Justice in its efforts in this regard.

The meeting rose at 1 p.m.

United Nations A/71/PV.35

General Assembly
Seventy-first session

Official Records

35th plenary meeting
Thursday, 27 October 2016, 3 p.m.
New York

President: Mr. Thomson ..... (Fiji)

In the absence of the President, Mr. Zamora Rivas (El Salvador), Vice-President, took the Chair.

The meeting was called to order at 3.05 p.m.

Agenda item 70 (*continued*)

Report of the International Court of Justice

Report of the International Court of Justice (A/71/4)

Report of the Secretary-General (A/71/339)

Ms. Hioureas (Cyprus): It is a particular honour and pleasure for the Republic of Cyprus to address the General Assembly on its consideration of the report of the International Court of Justice (A/71/4). We are grateful to President Judge Ronny Abraham for his introduction of the report and for his insightful remarks on the work and functioning of the Court (see A/71/PV.34).

Our debate this year has special significance as we mark the seventieth anniversary of the establishment of the Court. We welcome the commemorative activities and initiatives outlined in its report. On this occasion we wish to commend the Court on its significant work as the principal judicial organ of the United Nations and to pay tribute to past and present members of the Court who have served and who serve the Court with dedication and distinction. Since its creation in 1946, the Court has heard more than 160 cases and delivered 121 judgments and 27 advisory opinions, which have contributed significantly to the maintenance of peace and security and to the development of international law.

During the period under review, the International Court of Justice experienced a high level of judicial activity, with pending contentious cases involving States from all continents. That diverse geographical distribution of cases illustrates the universal character of the jurisdiction of the principal judicial organ of the United Nations. The cases submitted to the Court involve a wide variety of subject matters, including territorial and maritime disputes, the unlawful use of force, interference in the domestic affairs of States, violations of territorial integrity and sovereignty, economic rights, international humanitarian and human rights law, genocide, environmental damage and conservation of living resources, immunities of States and their officials, and interpretation and application of international treaties and conventions.

Such diversity of subjects illustrates the general character of the jurisdiction of the International Court of Justice. The consistently high workload demonstrates the confidence placed in the Court and the respect shown to it by States. It is imperative that the Court continue to modernize its work as a means to ensure that its work is carried out as expeditiously as possible and that it has the necessary means and resources that will continue to ensure its integrity, impartiality and independence.

As the principal judicial organ of the United Nations, the International Court of Justice does work of utmost importance to the promotion of the rule of law,

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friendly relations among States and international peace and security. The Court's jurisdiction over disputes has influenced and shaped international law through the peaceful settlement of disputes.

With trust in the Court's capacity to deliver justice, in 2002 the Republic of Cyprus made a declaration for recognizing compulsory jurisdiction of the Court. To date, we are one of only 72 countries in the world to have done so. We call upon States to recognize the jurisdiction of the Court in accordance with Article 36 of the Statute of the International Court of Justice, thereby promoting and facilitating the ability of the Court to maintain and promote the rule of law throughout the world.

Mr. Xu Hong (China) (*spoke in Chinese*): It gives me great pleasure to speak under the agenda item "Report of the International Court of Justice". At the outset, please allow me, on behalf of the Chinese delegation, to express my appreciation to President Abraham of the International Court of Justice for his presentation (see A/71/PV.34). My thanks also go to all the judges and staff of the Court for their hard work over the past year.

This year marks the seventieth anniversary of the inaugural sitting of the International Court of Justice. Over the past 70 years, the Court, in faithfully implementing its mandate in accordance with the Charter of the United Nations and its own Statute, has delivered over 120 judgments and issued close to 30 advisory opinions. It has played an important role in the interpretation, application and development of the rules of international law and in the peaceful settlement of international disputes, thus making its due contribution to the maintenance of international peace and security. The performance of the Court may not be perfect, but undoubtedly, as one of the six principal organs and the principal judicial organ of the United Nations, the Court has authority and influence that cannot be replaced or matched by any other international judicial body.

Reviewing the past, we can see that it is no coincidence that the International Court of Justice has been successful in exercising its jurisdiction. It has always acted prudently and has strictly abided by the principle of the consent of States. The Court's judges, who represent major cultures and the principal legal systems of the world, have maintained a high level of professionalism, a responsible attitude and a balanced judicial approach. The judges and internal administrative organs, such as the Registry, have always kept their independence and been free from external interference and influence by reporting to the General Assembly and the Security Council periodically and by listening to the views and comments of Member States. The Court has, to a certain extent, made it possible for the international community to exercise oversight of the Court's work. All the above have laid a solid foundation for the Court to carry out its high-quality judicial activities on the basis of objectivity and fairness.

After a journey of 70 years, the International Court of Justice now stands at a new starting point. Its workload has been rising, a fact that reflects the trust and expectation of the international community, especially disputing parties. The international community and the United Nations should continue to provide strong support to the Court for it to implement its mandate, and such support should be in response to the appeal and the concerns of the Court. That includes ensuring human and financial resources at a level commensurate with its responsibilities and status.

As a responsible member of the international community, China has always actively promoted the peaceful settlement of disputes through friendly consultations. We will continue to safeguard the international order, which is based on the purposes and principles of the Charter of the United Nations, and to maintain and promote the rule of law at the international level. We are confident that an international Court that faithfully carries out its mandate according to the Charter and its own Statute will continue to be the model and guide for other international judicial bodies, and will further contribute to the peaceful settlement of disputes and the maintenance of international peace and security.

Mr. Elshenawy (Egypt) (*spoke in Arabic*): At the outset, I would like to thank Mr. Ronny Abraham, President of the International Court of Justice, for presenting the report of the Court (A/71/4) on its work and activities from 1 August 2015 to 31 July 2016 (see A/71/PV.34).

We align ourselves with the statements delivered respectively by the representatives of Iran on behalf of the Movement of Non-Aligned Countries and of South Africa on behalf of the Group of African States (see A/71/PV.34).

Egypt strongly believes in the important role of the International Court of Justice as the main judicial organ of the United Nations. We believe that since the

inception of the Court in June 1945 and the beginning of its activities in April 1946, the legal and political landscape has changed. That has reaffirmed the role of the Court in the peaceful settlement of conflicts among countries, as set out in the Charter of the United Nations, and in advancing and strengthening the rule of law.

The number of cases before the Court and the number of advisory opinions issued by it have increased. Currently, there are diverse cases before it, including from countries on all continents. That underscores the universal aspect of the Court and the absolute trust in it and its judges, who are all respected and valued by the international community. That is why we need to respect and implement its decisions and advisory opinions.

Nevertheless, and at a time when we are witnessing an increase in the number of cases before the Court, in the past year the Court did not receive any request for an advisory opinion, in accordance with Article 96 of the Charter of the United Nations. In that regard, we would like to stress how important it is to benefit from the role played by the Court and its advisory opinions, as set out in the Charter, especially on issues that include legal disputes. We encourage countries to accept the mandate of the Court, in accordance with Article 36 of its Statute, as requested by the General Assembly in its resolution 70/118, on the rule of law at the national and international levels.

Egypt believes that it is important for the General Assembly to provide the financial resources the Court needs without making any reduction, so that it can deliver its message in the best possible way, as the main judicial organ of the United Nations. The Assembly must take into consideration the unprecedented level of activities and that Member States have repeatedly stressed the need to provide the requisite financial resources to the Court for its independent administration.The delegation of Egypt will make sure that this will be realized through the Fifth Committee of the General Assembly. To assist countries to settle their disputes through the International Court of Justice, we urge countries, especially those who can afford to do so, to provide financial contributions to the trust fund that was established by the Secretary-General in 1989 for that purpose.

In conclusion, Egypt again thanks the International Court of Justice and its President, and emphasizes that it will continue to support the Court.

Mr. Elias-Fatile (Nigeria): I thank you, Sir, for convening this important meeting to consider the report of the International Court of Justice (A/71/4). Nigeria is grateful to the President of the Court, Judge Ronny Abraham, for his comprehensive briefing and insightful remarks earlier this morning (see A/71/PV.34). We congratulate the Court on the celebration of the seventieth anniversary of its inaugural sitting on 20 April.

My delegation aligns itself with the statement made by the representative of South Africa on behalf of the Group of African States (see A/71/PV.34).

The International Court of Justice is an integral part of the mechanisms of the United Nations for the promotion of the rule of law and international peace and security through the administration of international justice. There is no gainsaying the fact that the Court has made tremendous contributions to the promotion of and respect for the rule of law at the international level. In addition, over the years, the Court has continued to play a vital role in the maintenance of international peace and security through its rulings and judicial notices. It has also contributed significantly to the corpus of international jurisprudence. It is remarkable that the Court's judgments, judicial opinions and notices have had salutary effects on the maintenance of peace and security in all regions of the world.

We have studiously reviewed the Court's report for the period 1 August 2015 to 31 July 2016. We have taken note of its judicial and other activities during the reporting period, and we commend the Court for the measures that it has taken in recent years to enhance its efficiency, which has facilitated the effective management of its steadily increasing workload. In particular, we noted that, during the period under review, the Court experienced a high level of judicial activity, which included rulings on two cases between Costa Rica and Nicaragua, public hearings and other pending contentious cases involving States from all continents — six from the Americas, five from Africa, four from Europe, three from Asia and one from Oceania. The diverse geographical distribution of those cases is truly illustrative of the universal character of the jurisdiction of the Court.

Furthermore, it is noteworthy that the cases submitted to the Court involve a wide variety of subject matters, including territorial and maritime disputes, the unlawful use of force, interference

in the domestic affairs of States, violations of territorial integrity and sovereignty, economic rights, international humanitarian and human rights law, genocide, environmental damage and the conservation of living resources, the immunities of States and their representatives, and the interpretation and application of international treaties and conventions.

Significantly, we also noted in the report that the cases that States have entrusted to the Court for settlement are growing in factual and legal complexity. Indeed, the diversity of those issues illustrates the general character of the jurisdiction of the Court and attests to the increasing relevance of the Court, both as a principal organ of the United Nations and as an instrument for the peaceful settlement of disputes.

We note with appreciation that the Court has continued to publicize its decisions through modern information and communications technology. We also welcome the Court's ongoing engagement with the public. Those efforts serve to promote greater transparency in its activities. Nevertheless, we observed that, during the period under review, no request for an advisory opinion was submitted to the Court. The importance of advisory opinions on legal questions referred to the Court in the pursuit of the peaceful settlement of disputes cannot be overemphasized. We therefore encourage more use of the Court for advisory opinions on sundry issues.

Under the provision of Article 36, paragraphs 2 and 5, of the Statute of the Court, States are expected to make declarations recognizing the compulsory jurisdiction of the Court. Nigeria notes with concern that, of the 193 Member States, only 72 have so far made declarations recognizing the jurisdiction of the Court. That represents less than half of the membership of the United Nations. We would like to see more countries accept the compulsory jurisdiction of the Court, in consonance with resolution 69/123. We encourage Member States that have yet to subscribe to the compulsory jurisdiction of the Court to endeavour to do so. That, we believe, would further strengthen the Court's role and ability to promote international justice and the peaceful settlement of disputes.

I would like to assure the Assembly that Nigeria will continue to abide by its commitments to the promotion of international justice and the peaceful settlement of disputes, as a State party to the Statute of the International Court of Justice. Having made the declaration recognizing the jurisdiction of the Court as compulsory, our acceptance of the ruling of the Court on the border dispute between Nigeria and Cameroon demonstrates our conviction and commitment to the precepts and principle of the International Court of Justice. We shall continue to support the Court, where three illustrious Nigerians had served meritoriously as judges. Therefore, we encourage all Member States to continue to offer their support to the activities of the Court to promote international justice and the rule of law.

Mr. Llorentty Soliz (Plurinational State of Bolivia) (*spoke in Spanish*): The Plurinational State of Bolivia has taken note of the report of the International Court of Justice for the period 1 August 2015 to 31 July 2016 (A/71/4). We would also like to thank the President of the International Court of Justice, Judge Ronny Abraham, for his briefing to the Assembly (see A/71/PV.34).

As a peaceful nation, Bolivia complies with the criteria enshrined in the Charter of the United Nations and adheres to the principles of the International Court of Justice, its jurisdiction and its c..ll for ongoing dialogue between neighbouring nations and brothers. The Court, its purposes and principles provide new opportunities to resolve our differences. The Plurinational State of Bolivia is convinced that the International Court of Justice constitutes one of the best paths to the peaceful resolution of disputes between States. Bolivia urges all States to adhere in good faith to its jurisdiction and its decisions, in keeping with the Charter of the United Nations.

This year is of particular interest, given the increase in the number of cases submitted to and resolved by the Court on a diversity of matters, which is a reflection of the general nature of the competence of the main judicial body of the United Nations, as well as of the fact that States put their trust in it. We take note of the effectiveness and efficiency of the Court's efforts to make use of new technologies. They contribute to better performance, given the limited time frames and the complex cases before it.

Without a doubt, it is the quality of the Court's rulings, its proven independence and its adherence to international law, to the evidence presented and to judicial reasoning that represent the main contribution of great value to the international community of nations. The positive evaluation of the Court by the Assembly

corresponds to the trust that we, the States, also place in it for fair procedures and rulings that endure through time. Humankind and our countries have taken a qualitative, extraordinary leap in maintaining peace, strengthening the rule of law, bolstering respect for basic rights and improving the quality of life on our planet by establishing and supporting the Court. Its decisions and advisory opinions over the past 71 years are convincingtestimony to its peaceful and practical nature and its ability to peacefully resolve conflicts.

Bolivia wishes to highlight that the Court still has a long way to go on its path towards great achievements. Peoples and States bring cases to The Hague with hope for justice and reparations, and for reasonable and fitting agreements, as they search for opportunities for all parties — opportunities that war, violence and their consequences deny the peoples The International Court of Justice represents, then, a space of hope for peace and justice.

Bolivia understands the scope of the budgetary requirements presented in the Court's report and will support the necessary decisions to meet those needs.

Bolivia agrees with the Court in two cases, one as an applicant and the other as a respondent, both against the Republic of Chile. We accept and respect the Court's jurisdiction and trust that its decisions will contribute to positively resolving the disputes that separate our two neighbouring and brother nations. As President Evo Morales said, Bolivia once again declares that there is only one way to resolve pending issues, and that is through negotiations and peaceful means as established by international law.

Lastly, Bolivia reaffirms its inclination towards the peaceful resolution of conflicts and reiterates its adherence to the principles of international law and the principles set forth in the Charter of the United Nations. It is not force that brings about law. It is the reason of the law that repairs injustices.

Mr. Gafoor (Singapore): My delegation would like to thank the International Court of Justice for its detailed report on its work (A/71/4). The Court has indeed had a very busy and productive year. We would also like to extend our warm congratulations to the Court on the occasion of the seventieth anniversary of its inaugural sitting. We have every confidence that the Court will continue to grow from strength to strength.

Singapore attaches great importance to the principle of the rule of law at both the national and the international levels. For small States like Singapore, the principle of the rule of law is not an academic notion. It is a critical precondition for our survival and continued existence as independent, sovereign States.

An integral and indivisible part of the rule of law is the settlement of international disputes by peaceful means. The Court plays a crucial role in that regard by providing an effective, established and objective mechanism for States to resolve their disputes in accordance with international law. The Court's role in resolving disputes and maintaining international peace and stability cannot be overemphasized. The International Court of Justice is the only international court of universal character with general jurisdiction. The Court therefore occupies a special position within the international community, from which it is well placed to uphold and promote the rule of law. Singapore has been and will continue to be supportive of the Court.

Singapore notes that the Court's workload has grown considerably over the past 20 years and that the number of cases brought before it has been increasing. The Court has done its best to meet that challenge through the use of new technologies, as well as by setting a highly demanding schedule of hearings and deliberations. We commend the Court on the level of commitment and professionalism with which the Court, its judges and the Registry discharge their functions. We also express our appreciation for their dedicated service to the global community.

Singapore also notes the concerns raised by the Court in its report regarding the final budget approved by the General Assembly for the biennium 2016-2017. As the principal judicial organ in the United Nations system and one that has discharged its function responsibly, the Court should, inour view, enjoy the full support of Member States. It is therefore vital that Member States demonstrate their support by ensuring that the Court is given adequate resources to discharge its role efficiently and effectively.

Let me conclude by saying that Singapore has always supported and will continue to support the work of the Court. We will also continue to monitor with great interest every decision and opinion of the Court. We wish the Court every success in the coming year.

Mr. Plasai (Thailand) (*spoke in French*): My delegation would like to express its appreciation to

Judge Abraham for his able leadership as the President of the International Court of Justice. We also wish to thank him for his detailed report on the Court's activities of the past year (see A/71/PV.34).

The Court remains highly active, with 14 pending cases on its docket. Over the period under consideration, the Court has handed down 11 orders and examined two joint cases. It also held public hearings in five instances and took on three new contentious cases. The Court covers a broad range of issues involving States from all continents.

Here we wish to commend the Court for its remarkable efforts in the efficient management of its cases, which involve many procedural steps with growing factual and judicial complexity in the background. This year, new cases have been submitted to the Court relating to the shared use of waters, diplomatic immunity and sovereignty. That underlines the varied nature of the cases heard and testifies to the universal character of the Court.

Thailand has been following with particular interest the activity of the Court in various cases, such as boundary disputes, maritime delineation and the interpretation of treaties and judgments. The Court's latest ruling regarding the two joint cases, concerning *Certain Activities carried out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)* and *Construction of a Road in Costa Rica along the San Juan River (Nicaragua v. Costa Rica)*, is of particular interest to us.

Regarding international environmental law, the Court has confirmed and extended its previous rulings on the obligations of States with respect to activities in their territories that could have a negative impact on the territory of a neighbouring State. We should note that the Court has made reference to obligations stemming from international customary law and international general law, without drawing a clear distinction between the two nor suggesting that they overlap. However, it would perhaps be useful to understand the reasoning behind the reference to such different sources of law.

(spoke in English)

The Kingdom of Thailand wishes to join the international community in congratulating the International Court of Justice on its seventieth anniversary. We value the Court's unique role as the principle judicial organ of the United Nations in safeguarding the purposes and principles of the Charter of the United Nations and the enormous contribution that the Court's impressive jurisprudence has made to international law. On behalf of the Royal Thai Government, I would like to take this opportunity to pay tribute to all the judges, the Registrar and the staff of the Court for their dedication and commitment.

International law is powerless if States refuse to uphold it. Over the years, the Court's intellectual authority has greatly contributed to ensuring compliance with its judgments. We commend the Court's rigorous process in conducting its deliberations and reaching its decisions. That has led to increased confidence in the Court and in the judicial and peaceful settlement of disputes in general. We commend the Court for duly taking into account the jurisprudence of other international courts and tribunals and for making efforts to align its rulings with the decisions of those bodies, thus ensuring coherence in international law. Accordingly, the Court has played a key role in strengthening respect for the rule of law at the international level.

It is essential to preserve the integrity of the Court by appointing qualified and competent judges and ensuring their absolute independence. My delegation therefore wishes to stress the need to avoid adopting a pension scheme for judges of the Court that might discourage the most highly qualified individuals from standing for election.

Finally, we wish to comment on budgetary issues. While we recognize the necessity of budget cuts, we are of the view that the Assembly should give due consideration to the situation of the Court. Its budgetary requests have already been modest, and its proper functioning should not be constrained because of inadequate funding. We hope that a satisfactory solution will soon be found and sufficient support provided to that important organ of the United Nations.

Mr. Remaoun (Algeria): The International Court of Justice remains the only jurisdiction that enjoys universality. It acts as a World Court. The Court is enshrined in the United Nations Charter as its principal judicial organ. I recall that the document that was signed in 1945 in San Francisco is entitled "Charter of the United Nations and Statute of the International Court of Justice". It therefore enjoys a unique status in the international legal framework.

The Court's work has grown significantly in factual and legal complexity over the past seventy years. The Court has been entrusted with resolving many contentious cases from all over the world, involving a wide range of subjects, such as territorial disputes, environmental damage, violations of territorial integrity, and the right to self-determination of peoples under colonial rule or foreign occupation. Moreover, despite the increasing complexity of the cases and the considerable growth in the workload of the Registry over the past twenty years, Algeria commends the Court for its efficient response to those new challenges and encourages the Court to pursue its efforts to further strengthen measures already taken.

In that regard, Algeria reiterates its full support for the Court's key role in ensuring the implementation of the provisions of international law, adjudicating disputes between States and providing advisory opinions to United Nations organs and specialized agencies. Accordingly, it is important for the United Nations, particularly the Security Council, to request advisory opinions from the Court on legal issues. The high moral and legal value of the Court's advisory opinions could contribute tremendously to strengthening international peace and security and the rule of law.

As Algeria is chairing the First Committee, on disarmament and international security, during the current session of the General Assembly, my delegation would like to reaffirm, as stated this morning by the representative of the Group of African States (see A/71/PV.34), the importance of the Court's advisory opinion of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*, issued under the presidency of the Algerian judge, Mr. Mohammed Bedjaoui. In that advisory opinion, the Court's judges concluded unanimously that

> "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control."

Therefore, Algeria calls upon all Member States to meet that obligation to carry out the process of nuclear disarmament.

Finally, Algeria would like to underscore that, at its 2016 session, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization recommended that the General Assembly mark the seventieth anniversary of the International Court of Justice through a commemorative draft resolution to be adopted during the current session. Algeria is honoured to have contributed to that process in its capacity as Vice-Chair of the Special Committee and looks forward to the adoption of that highly symbolic draft resolution (A/C.6/71/L.16).

Mr. Mendoza-García (Costa Rica) (*spoke in Spanish*): Let me start by thanking His Excellency Judge Abraham for his report (see A/71/PV.34). It is an honour for me to participate once again in the annual meeting of the General Assembly to consider the report on the work of the International Court of Justice, the only international court of a universal character with general jurisdiction and the principal judicial organ of the United Nations.

During the reporting period, the work of the Court was once again very intensive. It handed down judgments in two cases — in which, moreover, Costa Rica was a party — handed down 11 orders, held five public hearings, was seized of three new contentious cases, and followed up on 14 pending proceedings. We highlight the fact that cases originate in every continent and are of the most diverse nature. That is evidence of the universal character of the Court's jurisdiction and the importance that the membership attach to its decisions.

As the peaceful settlement of international disputes is a vital objective of the United Nations, the role of the Court in the maintenance of international peace and security and the promotion of the rule of law at the international level is a key one, hence the responsibility of the United Nations and its Member States to support the Court in the fulfilment of its tasks. That support calls for the Organization to ensure that the Court is able to deal efficiently and objectively, with complete procedural and judicial independence, with the cases submitted to it. It is therefore vitally urgent to ensure that it receives the necessary budgetary resources to fulfil its mandate, taking its workload into account.

As a democracy that disbanded its armed forces in 1948, Costa Rica recognizes international law and, in particular, the International Court of Justice and respect for the rule of law at the international level, as tools necessary for survival. For my country, it is of the utmost importance that all States comply with their international obligations vis-à-vis other States, including, of course, the decisions of the Court. We

advocate that such compliance in all cases be complete and in good faith, thereby ensuring peace and justice.

In that regard, it is important for my delegation to reiterate how important it is for the United Nations to consider options for ensuring follow up on the judicial rulings, with a view to preventing irregular situations that might violate the rule of law.

The International Court of Justice plays a fundamental role in promoting the rule of law at the international level. Through its advisory opinions and judgments, as well as through various activities in which it participates — publicity, easy-access diffusion of its proceedings through its electronic portal and various academic programmes — the Court also contributes to the development of international law. Moreover, we recognize the role that the Court can play in meeting the Sustainable Development Goals as an organ able to prevent the use of force, defend the right of peoples seeking self-determination, advocate for the protection of the environment and recognize human rights violations.

My delegation welcomes the Court's seventieth anniversary of its inaugural meeting on 20 April. Costa Rica accepted the Court's compulsory jurisdiction in 1973 and respectfully invites States that have not yet done so to consider making use of the mechanism provided for in Article 36 of the Court's Statute and to accept its jurisdiction.

Today, following the commemoration of its seventieth anniversary, we are confident that the Court will continue to work diligently with a view to resolving the disputes brought before it in an impartial and fair manner, in accordance with the mission entrusted to it by Member States through the Charter of the United Nations. In that regard and in keeping with our tradition of respect for the instruments and bodies of international law, we reiterate once again our commitment to abiding faithfully by all decisions of the Court, and we reaffirm our full confidence that it will continue to strengthen peace and justice through the objective performance of its tasks.

Mr. Laassel (Morocco) (*spoke in French*): At the outset, allow me to thank Judge Ronny Abraham, President of the International Court of Justice, for the Court's comprehensive report, contained in document A/71/4, covering the Court's activities for the period from 1 August 2015 to 31 July 2016.

My delegation aligns itself with the statements made by the representative of Iran on behalf of the Non-Aligned Movement and by the representative of South Africa on behalf of the Group of African States (see A/71/PV.34), and wishes to make the following comments in its national capacity.

Our meeting this year coincides with the seventieth anniversary of the first sitting of the International Court of Justice, which was celebrated in April. On this occasion, my delegation would like to present its warmest congratulations to the Court's President, Vice-President, judges and all those who have contributed to the successful work of the Court. Established by the Charter of the United Nations in June 1945 as the principal judicial organ of the United Nations, the Court began its activities in April 1946. Since then, it has played a very important role in contributing to the development and interpretation of the institutional law of the Organization, including the interpretation of the provisions of the Charter. It has also contributed to the development of international law through its advisory opinions and judgments.

Its role and relevance continue to be reaffirmed. States, in the exercise of their sovereignty and good will, use the services of the Court for advice in order to peacefully settle their disputes, be they bilateral or trilateral. The fact that a number of States have asked the Court to provide its opinion on a wide range of subjects testifies to the universal and multidisciplinary character of the Court. Indeed, the subject matter of the cases brought before the Court is greatly varied and includes territorial and maritime disputes, the unlawful use of force, interference in the internal affairs of States, violations of States' territorial integrity and sovereignty, economic rights, international humanitarian and human rights law, environmental damage and the conservation of living resources, the immunity of States and their representatives, and the interpretation and application of conventions and treaties.

The Court can also play an important role in offering incentives for parties to negotiate by administering transactional justice, which offers them the opportunity to settle their disputes themselves. It can be said, therefore, that the Court provides an invaluable service to the parties to a dispute and performs a valuable role of facilitation and negotiation.

Moreover, under Article 96, paragraph 1, of the Charter, the Economic and Social Council, Trusteeship

Council, the Interim Committee of the General Assembly and the international organizations associated with them have made use of the Court's services. As a result, the International Court of Justice is the judicial organ par excellence of the United Nations system.

For its part, the Court, as the sole international jurisdiction of a universal nature, having a double competence — contentious cases and consultation — has never refused to issue a judgment or an advisory opinion, as long as the conditions relating to its jurisdiction were met. That has made it the most accessible and in-demand court in terms of settling disputes among States. It therefore plays an essential role in the peaceful settlement of disputes and the promotion of the rule of law worldwide.

As of 31 July, the Court had 14 cases on its docket. Three new contentious cases were brought before it by six States from America, five from Africa, four from Europe, three from Asia and one from Oceania. That confirms the universality of the Court, given the diversity of the cases and subject matter, and illustrates the general nature of its jurisdiction as the principal judicial organ of the United Nations.

That said, after 70 years of accumulated legal experience and activity, the Court must now better equip itself and adapt in order to meet new challenges.

Finally, my delegation appreciates the important role played by the Court in the peaceful settlement of disputes and its valuable contribution to the consolidation and interpretation of the rules of international law. Hence, it is important to disseminate the Court's work by publishing its judgments, advisory opinions and decisions so as to inculcate among the larger public the values and principles of the peaceful settlement of conflicts, contribute to preventive diplomacy and promote the rule of law.

Mr. Medina Mejías (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Venezuela associates itself with the statement made by the representative of the Islamic Republic of Iran on behalf of the Movement of Non-Aligned Countries (see A/71/PV.34).

My delegation thanks the Honourable Judge Ronny Abraham, President of the International Court of Justice, for presenting the report of the Court (A/71/4). We value the positive efforts made by that principal judicial organ of the United Nations to improve its efficiency and respond to the increased workload. We stress the importance of publishing the Court's report with sufficient time to enable States to prepare their comments and make contributions in a timely manner.

The delegation of Venezuela reaffirms the importance of respect for international law, including the purposes and principles of the Charter of the United Nations, as an essential element for maintaining international peace and security. In that regard, respect for sovereignty, the right of peoples to self-determination, territorial integrity and political independence, peaceful settlement of disputes and refraining from the threat or use of force are increasingly relevant, especially since those principles are the basis for peaceful coexistence among nations.

Venezuela reiterates its commitment to the peaceful settlement of disputes, in accordance with Article 2 and Chapters VI and VIII of the Charter of the United Nations. Member States have the sovereign right to choose the most appropriate means of achieving a peaceful solution to a dispute. Similarly, legal obligations resulting from accession to international agreements must also be honoured.

By strengthening international law through its effective implementation, the International Court of Justice plays a vital role in promoting the peaceful settlement of disputes among States, pursuant to Article 33 of the Charter of this multilateral Organization. Moreover, it is noteworthy that the Court in its historical evolution has adopted broad advisory opinions on various issues with political and legal implications in the area of peace and international justice.

Venezuela regrets that almost 20 years after the adoption of the advisory opinion on the *Legality of the Threat or Use of Nuclear Weapons*, there has been no significant progress in the field of nuclear disarmament. The use of that category of weapons of mass destruction is still part of the strategic doctrine of the military alliances of certain nuclear Powers. We therefore encourage the international community, especially the nuclear-weapon States, to pursue their efforts to negotiate a legally binding instrument proscribing the threat, use, production and stockpiling of nuclear weapons.

In conclusion, we urge strengthened interaction among the Security Council, the General Assembly and the International Court of Justice, given that, within the framework of their respective competencies, the peaceful resolution of disputes in support of

international peace and security is a common objective, in keeping with the fundamental purposes of the Charter of the United Nations and the desire of humankind.

In that connection, we believe it would be useful for the General Assembly, other United Nations bodies and duly authorized specialized agencies if they were to more frequently request advisory opinions from the Court concerning the issues on their agendas with legal implications.

Mr. Alabrune (France) (*spoke in French*): The delegation of France wishes to thank the President of the International Court of Justice, Judge Ronny Abraham, for his introduction of the Court's annual report (A/71/4). The report is excellent and helpful and confirms the Court's importance in the peaceful settlement of disputes between States. As highlighted in the list of cases on the docket, the Court has indeed seen its litigation activity increase over recent decades, thus demonstrating States' confidence in the institution of the Court.

The decisions of the Court contribute to the easing of relations between States and the quest to settle disputes where other means have failed. If the Court's decisions are binding on the parties because of the authority of the *res judicata* attached to them, States' respect for and willingness to comply with them are a function of their high quality, as references to the Court's case law by other national and international courts attest. France therefore reiterates its commitment to and support of the Court, especially in view of its seventieth anniversary. That support is manifested through a contribution to the Court's resources and contributions to the Court's work on the part of French lawyers from the beginning.

France may be subject to the Court's jurisdiction by way of the many treaties to which it is party. It is also the only State to have accepted the Court's jurisdiction under article 38, paragraph 5, of the Rules of Court, at the request of another State.

Next year will mark the renewal of one third of the judges of the Court. In that regard, France would like to stress the importance of the Court's composition. The representation of various world cultures and languages greatly improves the quality of the Court's decisions. A true balance of the various legal systems forming the basis of international law is obtained by way of the languages represented.

I would like to take this opportunity to again express to the Court and all of its States members and staff, on behalf of France, our gratitude for its work.

Mr. Bin Momen (Bangladesh): Bangladesh thanks the President of the International Court of Justice for the Court's comprehensive report (A/71/4) detailing the pending and increased workload before the Court and the measures taken to ensure the Court's enhanced efficiency and visibility. We wish to take this opportunity to once again express our appreciation to the Court on the commemoration, in April this year, of the seventieth anniversary of its formal seating. That solemn occasion was a reminder of the crucial role played by the Court in promoting the pacific settlement of international disputes, as stipulated by the Charter of the United Nations.

The photographic display inaugurated at United Nations Headquarters last week provides a vivid account of the Court's contributions over the years, as the principal judicial organ of the United Nations, in upholding the rule of law at the international level and in the maintenance of international peace, security and justice.

Bangladesh believes that the sustained confidence in the Court felt by the international community is manifested through the broad range of subjects and cases invoked under its general jurisdiction. It is further reinforced by the Court's jurisdiction *ratione materiae* in the resolution of disputes among the States that are party to the more than 300 bilateral and multilateral treaties and conventions. The 121 judgments and 27 advisory opinions that the Court has delivered to date constitute a seminal contribution in the development of international law.

As a nation with an unequivocal commitment to the peaceful settlement of disputes, including through recourse to international law, Bangladesh duly acknowledges the Court's judgments, advisory opinions and ongoing work concerning territorial integrity and sovereignty, unlawful use of force and interference in the domestic affairs of States, among other issues. Given our history of resolving outstanding maritime and land boundary delimitation issues with our neighbours through legal and peaceful means, we continue to follow with interest the Court's work on territorial and maritime disputes, as well as on the conservation of natural and living resources.

As part of our unremitting advocacy for a peaceful, just and viable solution to the political and humanitarian situation in the occupied Palestinian territories, Bangladesh attaches great importance to the Court's advisory opinion on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, including in and around East Jerusalem, which continues to pose a formidable obstacle to the meaningful resumption of the peace process.

Every year Bangladesh co-sponsors the General Assembly draft resolution entitled "Follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons", as we underscore the importance of commencing negotiations in the Conference on Disarmament on a comprehensive convention addressing all aspects of the prohibition and elimination of nuclear weapons.

We expect that in the course of its judicial and advisory work on environmental issues, the Court will give due consideration to the issues of climate justice and loss and damage, as recognized by the Paris Agreement on Climate Change. The Court's opinions on those issues could be useful for climate-vulnerable countries as they continue to seek appropriate responses to climate-change threats and impacts through effective adaptation and mitigation measures.

Bangladesh recognizes the Court's need for adequate resources for ensuring its proper functioning and urges all Member States to give due consideration to the Court's submissions in that regard. We note with appreciation the efforts being made to further upgrade the Court's visibility online, including through its website, and to enhance the use of information and communications technology in tandem with the growing complexity of its work.

Bangladesh remains mindful of the General Assembly's call upon States to accept the Court's jurisdiction, in accordance with its Statute. We thank those Member States that have made voluntary contributions this year to the Secretary-General's Trust Fund to assist States in bearing the expenses incurred during the settlement of disputes through the International Court of Justice.

Mr. Tommo Monthe (Cameroon) (*spoke in French*): At the outset, I would like to express my warm congratulations to the President of the International Court of Justice for his very detailed presentation this morning in the General Assembly (see A/71/PV.34) of the report of the Court on its activities (A/71/4). Its work, much like its work last year, has consisted of the holding of public hearings on cases and the publication of its judgments and rulings. Moreover, the types of cases brought before the Court have broadened and are now extremely varied in subject matter, such as territorial and maritime disputes, genocide, environmental damage, the preservation of biological resources, the interpretation and implementation of international conventions and treaties, and violations of territorial integrity, sovereignty, international humanitarian law and human rights. The vitality of the Court is commendable.

I also pay tribute to the States that have chosen the judicial option to settle their disputes. In doing so, they have opted for the peaceful settlement of disputes, instead of resorting to force, thereby placing the International Court of Justice at the heart of the quest for and strengthening of international peace and cooperation.

As a beneficiary of the United Nations judical path, Cameroon can boast of being a model to follow, as is evidenced by the 10 October 2002 Court ruling regarding the land and maritime boundary between Cameroon and Nigeria. The implementation of that decision is now in its final stage and has resulted in greater solidarity between the peoples of Cameroon and Nigeria. I take this opportunity to congratulate once again and thank our bilateral and multilateral partners, who have worked tirelessly to help us implement that judgment. That is proof that resort to international law is the most appropriate path if we are to achieve lasting peace among nations. I therefore urge all Member States that are seeking a legal settlement for their intergovernmental disputes and conflicts to be inspired by our success.

President Paul Biya has always supported that method of settling disputes. Achieving peace through law, as he has advocated, is possible as long as force yields to law and States recognize the primacy of international law and the preponderant role of the United Nations in that regard.

The celebration of the seventieth anniversary of the International Court of Justice on 20 April 2016 was a significant occasion for States and the Court to honour the primacy of international law as the best manner of settling international disputes.

Following that celebration, Cameroon commends how the Court has worked to adapt to recent developments in international relations. It had previously focused almost exclusively on border issues and now has been able to make the necessary changes to be able to grapple with new types of matters, such as contentious cases related to environmental protection and property rights.

The Court's role is more important than ever before. Indeed, considering the increasing complexity of legal matters submitted to it, the judges are now called on to advance international law in all areas of the activities of our States. Cameroon takes this opportunity to commend the efforts to modernize the principal judicial organ of the United Nations so as to enable it to contribute to the attainment of lasting peace and stability amongst States.

In conclusion, I would like to call upon the Court, following its anniversary, to envision a reform mechanism aimed at optimizing its performance. Such a reform could include increasing the consideration given to African principles and values in order to enrich and broaden the customary sources of international law.

The Acting President (*spoke in Spanish*): We have heard the last speaker in the debate on this item.

May I take it that the General Assembly takes note of the report of the International Court of Justice?

It was so decided.

The Acting President (*spoke in Spanish*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 70?

It was so decided.

Agenda item 7 (*continued*)

Organization of work, adoption of the agenda and allocation of items

Second report of the General Committee (A/71/250/Add.1)

The Acting President (*spoke in Spanish*): *In paragraph (a) of its report, the General Committee recommends to the General Assembly that an additional item, entitled "Observer status for the Central American Bank for Economic Integration in the General Assembly" be included in the agenda of the current session under heading I (Organizational, administrative and other matters).*

May I take it that the General Assembly decides to include this item in the agenda of the current session, under heading I?

It was so decided.

The Acting President (*spoke in Spanish*): In paragraph (b) of its report, the General Committee further recommends that the new item be allocated to the Sixth Committee.

May I take it that the General Assembly decides to allocate this item to the Sixth Committee?

It was so decided.

The Acting President (*spoke in Spanish*): I wish to inform members that the agenda item entitled "Observer status of the Central American Bank for Economic Integration in the General Assembly" becomes agenda item 174 of the agenda of the current session. The Chair of the Sixth Committee will be informed of the decision just taken by the General Assembly.

Reports of the Fifth Committee

The Acting President (*spoke in Spanish*): If there is no proposal under rule 66 of the rules of procedure, I shall take it the Assembly decides not to discuss the reports of the Fifth Committee which are before it today.

It was so decided.

The Acting President (*spoke in Spanish*): Statements will therefore be limited to explanations of vote or position. The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in that Committee and are reflected in the relevant official records.

May I remind members that under paragraph 7 of decision 34/401, the General Assembly agreed that:

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once; that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Main Committee."

May I also remind delegations that, also in accordance with General Assembly decision 34/401,

explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to take decisions in the same manner as was done in the Fifth Committee, unless otherwise notified in advance.

Agenda item 135

Programme planning

Report of the Fifth Committee (A/71/545)

The Acting President (*spoke in Spanish*): The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 6 of its report. The Fifth Committee adopted it without a vote. May I take it that the Assembly would like to do the same?

The draft resolution was adopted (resolution 71/6).

The Acting President (*spoke in Spanish*): The Assembly has thus concluded this stage of its consideration of agenda item 135.

Agenda items 133 and 144

Review of the efficiency of the administrative and financial functioning of the United Nations

Report on the activities of the Office of Internal Oversight Services

Report of the Fifth Committee (A/71/548)

The Acting President (*spoke in Spanish*): The General Assembly will now take a decision on the draft resolution entitled "Report on the activities of the Office of Internal Oversight Services: report of the Fifth Committee", recommended by the Fifth Committee in paragraph 6 of its report. The Fifth Committee adopted it without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 71/7).

The Acting President (*spoke in Spanish*): The Assembly has thus concluded this stage of its consideration of agenda items 133 and 144.

The meeting rose at 4.30 p.m.

United Nations A/71/PV.36

General Assembly

Seventy-first session

Official Records

36th plenary meeting
Friday, 28 October 2016, 10 a.m.
New York

President: Mr. Thomson ..... (Fiji)

The meeting was called to order at 10.05 a.m.

Tribute to the memory of His Majesty King Bhumibol Adulyadej, late King of Thailand

The President: It is my sad duty to pay tribute to the memory of the late King of Thailand, His Majesty King Bhumibol Adulyadej, who passed away on Thursday, 13 October. On behalf of the General Assembly, I would like to request the representative of Thailand to convey our condolences to the Government and people of Thailand and to the bereaved family of His Majesty the King.

His late Majesty the King reigned for 70 years, making him one of the longest serving monarchs in human history. He was revered by his people and admired throughout the world for his grace, dignity and humility and his steadfast dedication to his country and people. At his coronation, he declared "we shall reign with righteousness for the benefits and happiness of the Siamese people." It was a commitment he worked tirelessly to fulfil throughout his life. The King was beloved as the people's King, and, through the thousands of development projects he initiated over his lifetime, he oversaw a period of profound social, economic and development transformation across the country, significantly improving the livelihoods and well-being of the Thai people.

The King was also a force for peace and unity within Thailand and the broader region and was a strong supporter of the multilateral system. His achievements throughout his life led to numerous awards from the United Nations and beyond, including the United Nations Development Programme's first Human Development Lifetime Achievement Award in 2006.

The King was also a committed environmentalist. He played a leading role in the promotion of soil science and conservation and was a leader in sustainable land resource management. Under the King's leadership, Thailand raised global awareness of the importance of soil as a resource for poverty reduction, climate change adaptation, sustainable development and security. In 2013, the General Assembly recognized those efforts by designating 5 December, the same date as the King's birthday, as World Soil Day, as well as 2015 as the International Year of Soils.

His Majesty was one of the most venerated global leaders of our time. His profound legacy to the people and nation of Thailand and the world at large will always be remembered. On behalf of the General Assembly, I extend our most sincere condolences to the Government, the royal family and the people of Thailand as we mourn His Majesty the King's passing. Our hearts and thoughts are with the people of Thailand at this time.

I now request the General Assembly to rise and observe a minute of silence in memory of the late King.

The members of the Assembly observed a minute of silence.

The President: It is now my honour to give the floor to the Secretary-General, His Excellency Mr. Ban Ki-moon.

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

The Secretary-General: We come together to pay tribute to the life and legacy of His Majesty King Bhumibol Adulyadej of Thailand, the world's longest-reigning monarch. On behalf of the United Nations, I once again express our most profound condolences to Her Majesty Queen Sirikit, the royal family, the Government of Thailand and the Thai people.

A visionary and a humanitarian, King Bhumibol was loved and revered by the people of Thailand and respected around the world. I had the honour of meeting King Bhumibol during a visit to Thailand in 2007. I had long admired his dedication to improving his country and the lives of its people, particularly those that were most vulnerable. Over seven decades, King Bhumibol served as a stabilizing force in Thailand, notably during times of political turmoil and tension. The outpouring of grief from the Thai people on his passing is testimony to the King's tremendous influence across the country and a recognition of his lifelong work to better the lives of his people.

King Bhumibol's commitment to sustainable development and national resilience helped to move the country through its various phases of development and towards becoming a vibrant economy. In recognition of his work, King Bhumibol was awarded the first United Nations Development Programme Human Development Lifetime Achievement Award in 2006.

The United Nations recognizes and pays tribute to the remarkable life that His Majesty King Bhumibol led and joins all those who loved and revered the King in offering heartfelt condolences. In the spirit of the late King, the United Nations looks forward to further strengthening the partnership with the Royal Thai Government and the people of Thailand in order to advance democracy, development, peace and human rights for all.

The President: I give the floor to the representative of Georgia, who will speak on behalf of the Group of Eastern European States.

Mr. Imnadze (Georgia): It is with great sadness that we have learned about the passing away of His Majesty King Bhumibol Adulyadej of Thailand. On behalf of the members of the Group of Eastern European States, I would like to express our deepest condolences to the royal family and to the Thai people.

It is painful to lose a leader who cared so deeply about his country, the world and humankind. His Majesty worked tirelessly for rising prosperity and the development of Thailand, skilfully steering the country through difficult times. He was a King who was loved by his people and deeply revered internationally, a true leader who inspired his own nation and the rest of the world. As an advocate for education and building bridges between nations, King Bhumibol inspired and encouraged people to strive for peace and prosperity. As he wisely noted,

> "a good person can make another person good; it means that goodness will elicit goodness in the society; other persons will also be good".

His Majesty King Bhumibol will always be remembered for his outstanding leadership and his dedicated service to his country. His achievements as the "development king", who made an extraordinary contribution to human development, is cherished worldwide. As former Secretary-General Kofi Annan stated while presenting him with the first Human Development Lifetime Achievement from the United Nations Development Programme in 2006, "As a visionary thinker, [His] Majesty has played an invaluable role in shaping the global development dialogue".

Let us also recall the unique talents and passion of the King, who, as a musician and a composer, used music as a bridge to build communications, relationships and friendship. The leadership, courage and wisdom of King Bhumibol will be missed. In this time of grief and sorrow, our thoughts and prayers are with his family and the people of Thailand.

The President: I give the floor to the representative of Chile, who will speak on behalf of the Group of Latin American and Caribbean States.

Mr. Barros Melet (Chile) (*spoke in Spanish*): It is an honour for me, on this sad occasion, to pay tribute to the life of His Majesty Bhumibol Adulyadej, King of Thailand, on behalf of the Group of Latin American and Caribbean States.

From the time he ascended the throne, in 1946, His Majesty King Bhumibol was able to win the respect and admiration of the people of Thailand, whose well-being and progress were his constant concern. During his reign, he worked tirelessly to improve the lives of all his people. His Majesty's commitment to placing his people and their well-being at the centre of development was recognized by the United Nations

system when he was awarded the first United Nations Development Programme Human Development Lifetime Achievement Award in 2006, as mentioned by the Secretary-General in his statement on the passing of His Majesty.

During his seven-decade reign, His Majesty bore witness to and participated in profound political, economic and social transformations in his country, the region and the world, emerging as an internationally recognized figure. We recall his commitment to the unity of Thailand and will remember him as a unifying national leader. The member States of the Latin American and Caribbean Group join in the mourning and the deep feelings of sadness on the passing of His Majesty. We extend our heartfelt condolences and sympathy to the royal family and to the Government and people of Thailand.

The President: I give the floor to the representative of the Niger, who will speak on behalf of the Group of African States.

Mr. Wafy (Niger): I have the honour to speak on behalf of the Group of African States to pay tribute to the late King Bhumibol Adulyadej of Thailand. We would like to express our deepest condolences to the royal family, the Government and people of the Kingdom of Thailand.

His Majesty King Bhumibol Adulyadej stood as a pillar of Thailand's unity and dedicated himself to the benefit and happiness of the Thai people. He was the leading and guiding spirit behind much of Thailand's remarkable socioeconomic development over past decades. During his 70-year reign, His Majesty's ingenuity manifested itself in more than 4,000 royally initiated projects, from irrigation to flood alleviation and from public health to education. His Majesty's self-sufficient economic philosophy — the epitome of his lifelong development experiences — has been widely shared beyond national boundaries as a homegrown approach to achieving sustainable development. This loss is not only a loss for Thailand, but also a loss for the world.

His Majesty King Bhumibol Adulyadej will be remembered and revered as the "development king". The African Group is confident that the legacy of the late King will continue to inspire the people of the Kingdom of Thailand and the international community, particularly in their pursuit of the Sustainable Development Goals. May His Majesty rest in peace.

The President: I give the floor to the representative of Kuwait, who will speak on behalf of the Group of Asian and Pacific States.

Mr. Marafi (Kuwait): I have the honour to speak on behalf of the Group of Asian and Pacific States to pay tribute to and honour the memory of His Majesty King Bhumibol Adulyadej of the Kingdom of Thailand at this gathering of the General Assembly. The Group would like to express its most sincere and heartfelt condolences to the Government and the people of the Kingdom of Thailand, who were blessed with His Majesty's leadership for over 70 years. He was their longest-serving monarch until his passing on 13 October.

His Majesty was cherished in his beloved Thailand, unifying the country throughout many difficult and trying times. Known as a compassionate King, he was a peacemaker who encouraged dialogue over conflict and maintained the utmost respect throughout his reign. He saw his country flourish and become a regional leader and one of the largest economies in South-East Asia. His love for Thailand was reflected in his commitment to and advocacy for economic, social and sustainable development for his country and his people. His tireless work and contributions earned him the recognition of the United Nations Development Programme in their first Human Development Lifetime Achievement Award.

A great statesman, whom we shall all miss, has passed. A monarch of unwavering integrity, abiding humility and steadfast service to his people, His Majesty was truly revered by all. Thailand's loss is a loss for all of the region and the world. Once again, the Group of Asian and Pacific States offers its most sincere sympathy to the royal family, the Government and the people of Thailand as they mourn the loss of their extraordinary leader. May his soul rest in eternal peace.

The President: I give the floor to the representative of the United Kingdom of Great Britain and Northern Ireland, who will speak on behalf of the Group of Western European and other States.

Mr. Rycroft (United Kingdom): I have the honour to speak on behalf of the Group of Western European and other States. On behalf of the Group, I wish to offer our sincere condolences to the royal family and people of Thailand on the death of His Majesty King Bhumibol Adulyadej earlier this month.

His Majesty guided the Kingdom of Thailand with dignity, dedication and vision throughout his remarkable 70 years on the throne. He was the longest-serving monarch in the world at the time of his passing. As I stand in this Hall, I am astonished to realize that His Majesty ascended the throne when the United Nations was only a year old, with Thailand becoming its fifty-fifth Member State. He was the embodiment of the post-war generation with its hopes and dreams of global peace, development and universal human rights. From that same vision, the Charter of the United Nations was born. The challenges faced by His Majesty during his long reign echoed those that faced all Member States in this Organization. It is difficult to select highlights from such a long and rich history of service to the Thai people, but I will make three observations.

First, His Majesty will be remembered for serving the needs of his people. His Majesty spent years of his reign touring Thailand's agricultural provinces, meeting local people, visiting rural projects and asking local leaders about the challenges of their lives. His Majesty led development programmes in the poorest parts of the country and was a keen supporter of advanced agriculture and sustainable development. The mark of that work can be seen across Thailand today.

His Majesty was also a talented musician and patron of the arts. He was an accomplished painter, photographer, composer and saxophonist. For many years, His Majesty broadcast a live music concert for his people, performing with a jazz group in the studios of the royal radio station.

Finally, His Majesty will be remembered for his unwavering dedication to the Thai people. He was greatly respected at home and around the globe for his dedication to his people and Government. He was a welcome symbol of stability for his nation through both good and more challenging times.

His Majesty leaves a lasting legacy and a true mark on history. We join the people of Thailand in mourning his passing.

The President: I give the floor to the representative of the United States of America, who will speak on behalf of the host country.

Ms. Power (United States of America): Today is one of the many days that I feel very privileged to represent the host country of the United Nations so as to have the chance to address those present on such an important occasion. On behalf of the United States of America, I wish to convey our deepest and most heartfelt condolences to Her Majesty Queen Sirikit, her children and grandchildren and to the people of Thailand on the passing of His Majesty King Bhumibol Adulyadej.

His Majesty was not only a lifelong friend and partner of the United States of America, he also had deep personal ties to our nation. The King's parents met in Cambridge, Massachusetts, where both were studying medicine — his father at Harvard and his mother at Simmons College. His Majesty only lived there as an infant, but his presence is still very much felt in Cambridge. I can speak with a bit of authority on this subject, because before I had the privilege of serving in the Obama Administration, I was a professor in Cambridge at Harvard's Kennedy School of Government. My walk to and from campus often took me through King Bhumibol Adulyadej Square, which is adjacent to the Kennedy School and was named in honour of his birth. Walking through King Bhumibol Adulyadej Square, it is not uncommon to see Thai people, who have come to pay homage to His Majesty, taking photographs next to the plaque bearing his name in the Square.

There are several places like that in Cambridge. In the nearby Brigham and Women's Hospital, where His Majesty's mother once worked, hardly a day goes by when Thai visitors do not come bearing gifts, flowers or small handwritten notes. That is the kind of devotion His Majesty inspired in the Thai people.

Nearly two decades ago, a journalist asked the King how he wanted to be remembered. He replied that he cared very little about how history remembered him. He said, "If they want to write about me in a good way, they should write how I do things that are useful". In the eyes of His Majesty, doing things that were useful meant finding a way to solve problems that affected real people, most importantly the vulnerable and marginalized people.

As the King saw it, the only way to know what was useful and to understand the problems people were facing was to get out into the field, into the places where people lived. So the King travelled constantly within his country, in particular to the poor and rural parts, where over the course of his tenure, he would develop thousands of development projects. But it was not only that His Majesty went to those places — we

see leaders do that a fair amount — it was also how he went. He made a point of meeting directly with locals, whether fishermen, rubber planters, rice farmers or primary school students. When he met with officials, he would choose those working at the grass-roots level: agronomists, school teachers, policemen.

His Majesty was more than just a keen observer. Being useful meant helping fix the problems that he encountered and empowering the Thai people to do the same. He had a mind that was at once kinetic and deliberate, creative, as we have heard, and scientific. Over the course of his life, he registered nearly 40 patents and trademarks, often for inventions that he built, tested and modified himself, most of which aimed at tackling everyday problems faced by the poor. That is completely extraordinary.

Take the invention nicknamed the "Monkey's Cheeks", which he designed to address the perennial floods that Thailand experiences. His Majesty remembered seeing as a child the way monkeys would store chewed bananas in their cheeks so that they could eat them later, and he built a system of small reservoirs that worked using a similar principle, storing excess water during heavy rains that could be used later for irrigation. The system of the Monkey's Cheeks is still being used across Thailand today. Many of the King's inventions fit this pattern, merging conservation with human development. He was decades ahead of the curve in recognizing that what was environmentally sustainable was crucial to the long-term health of communities.

In June 1960, His Majesty returned to the United States at the invitation of President Dwight Eisenhower. He was asked to address a joint session of the United States Congress. He was just 32 years old. Speaking to Congress, His Majesty said that he had accepted the invitation in part because of what he called "the natural human desire to see my birthplace", Cambridge, which he returned to on that trip. But he also came, he said, to affirm our two nations' unique friendship and shared values. As he put it, the friendship of one Government with another is an important thing, but it is the friendship of one people for another that assuredly guarantees peace and progress. His Majesty told members of the United States Congress that one tradition was valued above all others by the Thai people — the commitment to family. He said:

> "The members of a family are expected to help one another whenever there is a need for assistance. The giving of aid is a merit in itself. The giver does not expect others to sing his praises everyday, nor does he expect any return. The receiver is nevertheless grateful. He, too, in his turn will carry out his obligations."

The King was speaking about the bonds and generosity among the members of Thai families. But in retrospect, his words can just as easily be applied to the way that he lived his life, a life of always looking for ways to be useful to those in need, a life of giving and of serving every single day, not to earn praise, not to get something in return, but rather because that is what one does for one's family. His Majesty considered all the people of Thailand to be his family. How fortunate the Thai people were to have had His Majesty as a member of their family, and how fortunate we are to be able to learn from the way that this remarkable king chose to live his life.

The President: I now call on the Permanent Representative of Thailand.

Mr. Plasai (Thailand): Allow me to first express my sincere appreciation to you, Mr. President, for organizing today's meeting to pay tribute to His Majesty King Bhumibol Adulyadej and for your statement of condolences. We also deeply appreciate the kind and touching statements made by His Excellency the Secretary-General, the Chairs of the regional groups and the Permanent Representative of the United States of America, our host country.

His Majesty King Bhumibol Adulyadej was the guiding light of Thailand. Through the many crises and challenges the Kingdom had to face in the past seven decades, His Majesty was always there for his people, giving them resolve, resilience and, most important of all, direction. He was a symbol of our national unity, sustaining the Kingdom's cultural and social integrity, providing spiritual and material foundations on which Thai people from all walks of life built their livelihoods.

From the early years of his reign, His Majesty had this vision of people-centred development. His Majesty reached out with the aim of leaving no one behind. Through more than 4,000 royal development projects, His Majesty empowered the poorest and the most vulnerable, improved livelihoods, provided opportunities for the people to prosper and promoted a peaceful society that was and is mindful of the

environment. His Majesty showed the way for transforming the Kingdom from what was commonly called an underdeveloped country into the upper middle-income country it is now.

His Majesty Bhumibol Adulyadej was no stranger to the United Nations. Twice in the 1960s he made official visits to United Nations Headquarters, here in New York, and shared with the Secretary-General his insights into tackling pressing global issues. His Majesty's pioneering work on crop substitution and integrated rural development, started in the early 1960s, has over the years been praised by the United Nations Office on Drugs and Crime as an effective means to eradicate illicit drug production. The work has developed into the now globally recognized concept of alternative development, which has successfully turned opium poppy fields in many countries around the world into horticultural plantations and handicraft and vocational training centres or even into tourist attractions.

The United Nations and its specialized agencies on numerous occasions recognized His Majesty's role as a development king through his contribution to improving people's lives, rural development, food security and his life-long dedication to the cause of sustainable development. His Majesty was presented with the Agricola Medal of the Food and Agriculture Organization of the United Nations in 1995, a United Nations Habitat Scroll of Honour Award (Special Citation) in 2003, the first ever United Nations Development Programme Human Development Lifetime Achievement Award in 2006 and the World Intellectual Property Organization's Global Leader Award in 2009. In recognition of his research and development work on soils, His Majesty's birthday, 5 December, was designated World Soil Day by the General Assembly in 2014.

His Majesty's countless efforts in working for decades at the grass-roots level, side by side with farmers and communities, on thousands of royal development projects throughout Thailand have crystallized into what is now known as the sufficiency economy philosophy. That gift of His Majesty to the Thai people advocates moderation, reasonableness and prudence based on knowledge and virtues as a way of life and a decision-making framework. Acknowledged as a practical approach to achieving sustainable development, the philosophy has been successfully practised in Thailand and in many other countries, in the agricultural and business sectors and also in public administration. We are proud to have been able to share His Majesty's gift with our friends here at the United Nations over the years.

(*spoke in French*)

We are confident that the great legacy left by His Majesty King Bhumibol, in particular the sufficiency economy philosophy, will continue to guide both Thailand and our friends in our common quest to attain the Sustainable Development Goals by 2030. On behalf of the Thai people and the Royal Thai Government, I would once again like to convey our most sincere appreciation for the messages of condolence delivered during this sad period.

Agenda item 114

Elections to fill vacancies in subsidiary organs and other elections

(d) Election of fourteen members of the Human Rights Council

The President: The General Assembly will now turn to the election of 14 members of the Human Rights Council to replace those members whose term of office expires on 31 December 2016.

The 14 outgoing members are Algeria, China, Cuba, France, Maldives, Mexico, Morocco, Namibia, the Russian Federation, Saudi Arabia, South Africa, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Viet Nam.

In accordance with operative paragraph 7 of resolution 60/251, of 15 March 2006, these Member States are eligible for immediate re-election, except the delegation that has served two consecutive terms, namely, Maldives.

The 14 vacant seats should be distributed among the regional groups as follows: four seats for the Group of African States, four seats for the Group of Asia-Pacific States, two seats for the Group of Eastern European States, two seats for the Group of Latin American and Caribbean States, and two seats for the Group of Western European and other States.

In accordance with resolution 60/251, membership of the Council shall be open to all States Members of the United Nations, and the members of the Council shall serve for a period of three years. The members of the Council shall be elected directly and individually,

by secret ballot, by the majority of the members of the General Assembly. Accordingly, 97 votes constitute a majority in the Assembly, which has a membership of 193 States.

The following States will continue to be members of the Human Rights Council: Albania, Bangladesh, Belgium, the Plurinational State of Bolivia, Botswana, Burundi, the Congo, Côte d'Ivoire, Ecuador, El Salvador, Ethiopia, Georgia, Germany, Ghana, India, Indonesia, Kenya, Kyrgyzstan, Latvia, Mongolia, the Netherlands, Nigeria, Panama, Paraguay, the Philippines, Portugal, Qatar, the Republic of Korea, Slovenia, Switzerland, Togo, the United Arab Emirates and the Bolivarian Republic of Venezuela. The names of these States, therefore, should not appear on the ballot papers.

The election will be held in accordance with the relevant rules of procedure of the General Assembly on elections. For this election, rules 92 and 94 of the rules of procedure of the General Assembly shall be applied.

Consistent with the practice of the General Assembly, if more than the required number of Member States have obtained the votes of the majority of the members of the Assembly on the same ballot, those Member States that have obtained the largest number of votes above the required majority will be considered elected, up to the number of seats to be filled.

Also, consistent with past practice, when, in the case of a tied vote, it becomes necessary to determine the candidate to be elected or that will proceed to the next round of restricted balloting, there will be a special restricted ballot limited to those candidates that have obtained an equal number of votes.

May I take it that the General Assembly agrees to these procedures?

It was so decided.

The President: Accordingly, the election shall be held by secret ballot and there will be no nominations.

I have been informed by the secretariat that, when received before the election, the voluntary pledges and commitments made by Member States in accordance with paragraph 8 of resolution 60/251 were issued as official documents of the seventy-first session of the General Assembly.

Before we begin the voting process, I should like to remind members that, pursuant to rule 88 of the rules of procedure of the General Assembly, no representative shall interrupt the voting except on a point of order on the actual conduct of the voting. In addition, ballot papers will only be given to the representative seated directly behind the country's nameplate.

I should like to seek the usual cooperation of representatives during the time when the General Assembly is conducting the elections. Please be reminded that during the voting procedure all campaigning should cease in the General Assembly Hall. This means that, once the voting has begun, no more campaign material may be distributed inside the Hall. All representatives are requested to remain at their seats so that the voting process can proceed in an orderly manner. I should also like to remind delegations to refrain from extending congratulations in the General Assembly Hall after the announcement of the elected members. Their doing so is disruptive to the distribution of ballot papers for any subsequent rounds of balloting.

We shall now begin the voting process. Ballot papers marked "A", "B", "C", "D" and "E" will now be distributed. Each ballot paper is assigned to one of the five regional groups and has the corresponding number of blank lines for the seats assigned to that region.

I request representatives to use only these ballot papers and to write on them the names of the States for which they wish to vote. A ballot paper containing more names than the number of seats assigned to it will be declared invalid. A ballot paper will also be declared invalid if none of the names of the Member States on that ballot belongs to the relevant region. If the ballot paper of a region contains the names of both Member States that belong to the region and Member States that are from outside it, the ballot remains valid but only the names of the Member States that belong to the region will be counted. If a ballot paper contains the names of Member States that are not eligible for re-election or that are currently members of the Council, the ballot remains valid but those names will not be counted.

At the invitation of the President, Ms. Wanner (Austria), Ms. Kanchaveli (Georgia), Ms. Bailey (Jamaica), Mr. Said (Libya), Mr. Quintus (Luxembourg) and Mr. Rosdi (Malaysia) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11 a.m. and resumed at 12.40 p.m.

The President: The result of the voting is as follows:

Group A — African States (4 seats)

Number of ballot papers:	193
Number of invalid ballots:	0
Number of valid ballots:	193
Abstentions:	0
Number of members voting:	193
Required absolute majority:	97
Number of votes obtained:	
Tunisia	189
South Africa	178
Rwanda	176
Egypt	173
Morocco	2
Mauritius	1
Senegal	1
Sierra Leone	1

Group B — Asia-Pacific States (4 seats)

Number of ballot papers:	193
Number of invalid ballots:	0
Number of valid ballots:	193
Abstentions:	0
Number of members voting:	193
Required absolute majority:	97
Number of votes obtained:	
China	180
Japan	177
Iraq	173
Saudi Arabia	152
Malaysia	10
Fiji	6
Islamic Republic of Iran	1

Group C — Eastern European States (2 seats)

Number of ballot papers:	193
Number of invalid ballots:	1
Number of valid ballots:	192
Abstentions:	0
Number of members voting:	192
Required absolute majority:	97
Number of votes obtained:	
Hungary	144
Croatia	114
Russian Federation	112
Bulgaria	1

Group D — Latin American and Caribbean States (2 seats)

Number of ballot papers:	193
Number of invalid ballots:	1
Number of valid ballots:	192
Abstentions:	0
Number of members voting:	192
Required absolute majority:	97
Number of votes obtained:	
Cuba	160
Brazil	137
Guatemala	82

Group E — Western European and other States (2 seats)

Number of ballot papers:	193
Number of invalid ballots:	0
Number of valid ballots:	193
Abstentions:	10
Number of members voting:	183
Required absolute majority:	97
Number of votes obtained:	
United States of America	175
United Kingdom	173
France	2
Greece	2
Spain	2
Canada	1
Israel	1
Italy	1
Liechtenstein	1
Sweden	1

Having obtained the required majority and the largest number of votes of the members of the General Assembly, the following 14 States were elected members of the Human Rights Council for a three-year term of office beginning on 1 January 2017: Brazil, China, Croatia, Cuba, Egypt, Hungary, Iraq, Japan, Rwanda, Saudi Arabia, South Africa, Tunisia, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The President: I congratulate those States that have been elected members of the Human Rights Council, and I thank the tellers for their assistance in this election.

The Assembly has thus concluded its consideration of sub-item (d) of agenda item 114.

The meeting rose at 12.45 p.m.